

**Corporal Punishment of Children:  
A critical realist account of experiences from two  
primary schools in urban Tanzania**

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**2011**

## **Declaration**

I hereby declare that, except where explicit attribution is made, the work presented in this thesis is entirely my own.

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## **Abstract**

Corporal punishment of children is widely accepted and often legally practised in many countries, reflecting a seeming contrast between the rights and status of adults and of children. More countries are now banning corporal punishment in schools, as advocated by the United Nations Committee on the Rights of the Child in its regular reviews of countries' compliance with the UN Convention on the Rights of the Child (1989), the most widely ratified human rights Convention. With difficulty, Tanzania is gradually moving towards the banning of corporal punishment of children in schools.

This thesis explores the experiences of discipline and punishment in two urban primary schools in Dar es Salaam, Tanzania. Research methods include ethnographic observations, group sessions and interviews with children, teachers and parents. A critical review of social research methodologies reveals gaps in existing approaches and shows how dialectical critical realism can offer deeper understanding. The analysis aims to understand the ontology of pain, the morality of the corporal punishment of children in relation to human rights. The thesis analyses accounts of childhood and punishment, and the nature of changes and differences in reality that reside in the bodies in pain, in conjunction with reason-emotion and power. Particular concerns are: how critical realist ontology and epistemology can inform understanding of the body in pain; how children's and adults' experiences of pain are given different meanings; and how critical realism helps to justify the possibility of universal human rights intended to protect children from corporal punishment.

The research is intended to make original contributions to the understanding of children's embodied rights and to ways of applying critical realism to the sociological study of childhood.

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## **Acknowledgements**

This thesis would have not been possible without the generous contributions and assistance of all the participants in Dar es Salaam who were involved in my fieldwork. I would like to express my gratitude to my friends and all those who supported me in all respects during the fieldwork in Karatsu and Dar es Salaam. I am especially thankful to my research assistant and friend, Mwema, who assisted in the organisation and running of the interviews with students and parents, and who supported me throughout my time in Dar es Salaam. I also am incredibly indebted to my supervisor, Professor Priscilla Alderson, who guided and supported me from the beginning to the very last stage of my studies. Her generous patience and encouragement played a pivotal role throughout my research. Lastly, but not least, I would like to thank my parents.

## Chapter 1 Introduction

### 1.1 Context of the study

#### 1.1.1 Corporal punishment of children and their human rights

In February 2009, a District Commissioner of Bukoba District, Tanzania, ordered the caning of 19<sup>1</sup> primary school teachers in front of their students, allegedly blaming the teachers for the year 2008 standard seven students' poor performance in the national examinations (BBC, 2009a; BBC, 2009c; BBC Radio Swahili, 17 February 2009; James and Prout, 1990; Kigwangallah, 2009). This incident called for immediate legal action and was condemned nationally (*ibid.*). Although these responses reportedly invoked the language of human rights, the outrage was about the rights of adults. As in many other countries, 'properly' and/or 'reasonably' administered corporal punishment of children is routinely practised and is morally and legally accepted in Tanzania as a necessary and efficient means to instil discipline to prepare children as the 'future' generation.

Debate about human rights raises philosophical, socio-cultural, and legal questions concerning the basis and forms of our common humanity as well as its diversity. This is further complicated by our beliefs about childhood that question whether children do, should or can have human rights, involving conceptions such as competence, rationality, autonomy and responsibilities (see Chapter 3). Yet to deny the rights of the child altogether would be to deny the very morality of any human rights and responsibilities that arises out of our relations with other individuals, society and the state (see e.g. James and James, 2008).

The United Nations Convention on the Rights of the Child (UNCRC) (United Nations [UN] 1989) can be seen as a set of comprehensive rights during childhood (see UNCRC, 1989: Preamble, in Appendix 1). These are often described in terms of the three 'Ps' –rights to provision, protection and participation or the freedoms to take part in families, schools and societies (e.g. Cantwell, 1992; James and James, 2008). The Convention defines the set of rights for all children, while '[t]aking due account of

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<sup>1</sup> 16 or 32 teachers in other sources (Daily News, 2009; Mwakanosya *et al*, 2009 accordingly).

the importance of the traditions and cultural values of each people for the protection and harmonious development of the child' (UNCRC, 1989: Preamble).

Despite almost universal ratification of the UNCRC, with its veto on 'abuse' and on 'cruel and degrading treatment', the problem of corporal punishment of children is contested often in relation to culture, child-adult relations, and education and schooling. Many proponents of children's rights argue that corporal punishment of children is wrong and that it violates their rights (e.g. Bitensky, 2006; Hart *et al*, 2005; Newell, 1989; Newell, 2002). The United Nations Committee on the Rights of the Child (the Committee) that regularly reviews countries' compliance with the UNCRC, now explicitly advocates the banning of corporal punishment of children (see Chapter 2).

### **1.1.2 Tanzania as a setting**

This study is set in Dar es Salaam (Dar), Tanzania, where I first visited as a volunteer, when I was an undergraduate student in London. I very much enjoyed working in Dar, and meeting the welcoming and caring children and adults. As a person, who grew up in Japan, the meanings (and significance) of some physical differences such as sexes and ages appeared quite similar in Tanzania. In general family ties seemed to be strong, and the importance of traditions and customs were emphasised. The views about childhood and adulthood were somewhat similar, but corporal punishment was more explicitly accepted and openly practised. The frequency and severity of corporal punishment struck me, for the generally relaxed attitude of people contrasted with the presence of sticks at homes and in a school, where I visited. People cited the problem of poverty and culture as reasons for the use of corporal punishment.

One day at the home, where I was staying, a young girl<sup>2</sup> brought her mother a piece of thin tree branch for the mother to punish her, for her misbehaviour. I asked the mother, if she could use alternative methods to teach her daughter the manners that she valued, but as soon as she said that it was the African way, and that it was their culture, I felt that there was no option but to be silent as an outsider. This experience

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<sup>2</sup> She now studies at a private English-medium lower secondary school.



remained vividly in my memory, and every time I visited Tanzania, it reminded me of the questions about the relationship between the nature of morality, its universality, and my own experiences and feelings of pain.

This introductory chapter will briefly introduce the background of my research: basic national and local Dar statistics (including demography, economy, and education); educational policy and programmes; and constitutional and legislative provisions concerning human rights of children to be protected from violence in relation to the country's commitment to the UNCRC (UN, 1989).

### **Basic background of Tanzania and Dar es Salaam**

The United Republic of Tanzania<sup>3</sup> (URT) is comprised of mainland Tanzania and Zanzibar (Appendix 2: Map of Tanzania), which have two different law making bodies. The country is bordered by Kenya, Uganda, Democratic Republic of Congo, Burundi, Rwanda, Malawi, Mozambique and Zambia. The main religions of mainland Tanzania are Christianity (30 per cent), Islam (35 per cent), and indigenous beliefs (35 per cent). The total population of URT (mainland and Zanzibar) is estimated at 41.3 million in 2007 (United Nations Development Programme [UNDP], 2009), and the rural to urban migration rate continues to be high with increasing prevalence<sup>4</sup> of informal settlements or slums in the cities (UN, 2001b).

While Tanzania is a relatively peaceful and politically stable country in the continent, it remains as one of the poorest countries in the world. With approximately 88.5 per cent of the population living on less than the international poverty line of \$1.25 a day<sup>5</sup> (estimated during 2000-2007) (UNDP, 2009) (see Appendix 3 for price list of available snacks and other items in two schools), Tanzania relies heavily on international aid. For example, United Nations Educational, Scientific and Cultural Organisation (UNESCO) (2010a) promotes international aid, while maintaining that the primary responsibility rests with the governments of sovereign states, including rich

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<sup>3</sup> For the purpose of the study, and because of Zanzibar's political and constitutional peculiarities, the term Tanzania refers to mainland Tanzania unless specified. It cites Dar, where it is relevant.

<sup>4</sup> The slum population has increased from 5.6 million in 1990 to 14 million in 2005 with growth rate of 6.2 per cent, which is described as 'off-track' (UN-HABITAT, 2006a: 42-43).

<sup>5</sup> I spent between \$1 and \$2.50 on a normal day just for food and drinks during fieldwork.

governments, such as Japan and the US, that promise aid but do not provide it. Aid to Africa falls well short of the pledges made in 2005 to meet the 60 indicators of 'concrete, numerical benchmarks for tackling extreme poverty' (UNDP, 2010). The global recession has significantly reduced Tanzania's national budget, which relies on substantial donor finance and NGOs. International aid, as it is widely known and discussed, can increase poverty when it is associated with aid-dependency, corruption, and intrusive donor involvement (e.g. Harrison, Mulley and Holtom, 2009; Moyo, 2010; Polman, 2010; Whitfield and Fraser, 2009).

'Tanzania plans to maintain the GDP share of education spending, while reducing the budget share', and the national poverty reduction strategy entails increases in spending on agriculture, infrastructure and water (UNESCO, 2010a: 27). Tanzania's 'fiscal space', that is 'room in a government's budget that allows it to provide resources for a desired purpose without jeopardising the sustainability of its financial position or the stability of the economy' (Heller, 2005: 32), is relatively high amongst lower-income countries (UNESCO, 2010: 28). Tanzania has aid (one of the highest rate amongst the sub-Saharan Africa countries as of 2007), and security (Tanzanians are proud of its peace), with relatively better governance and law reforms, initiated by the World Bank and the IMF. These 'facts' are listed as conditions for poverty alleviation by Paul Collier (2007), the former head of research at the World Bank, regarding the world's poorest bottom billions. Yet Tanzania remains one of the poorest in the world. Due to the country's weak tax base, Tanzania is highly dependent on overseas aid (Mutalemwa, 2009) although the share of aid in the national budget has been steadily decreasing, from 42 per cent in 2007/08 (McGregor, 2008; Ministry of Finance and Economic Affairs (Tanzania) in African Economic Outlook, 2010) to 33 per cent in 2009/10 partly due to mismanagement (Ng'wanakilala, 2010 ), which could reduce education services.

According to the Household Budget Survey (HBS) 2000/01, 36 per cent of the population (18 per cent in Dar) falls below the national basic needs poverty line and 19 per cent (8 per cent in Dar) fall below the food poverty line in mainland Tanzania, and this has decreased only very slightly (around 34 per cent and 17 per cent

accordingly in mainland) in 2007 (Tanzania National Bureau of Statistics [NBS], 2002; 2008b). The proportion of income spent on food has decreased slightly (64.1 per cent in mainland and 52.2 per cent in Dar in 2007). This may reflect increases in non-food prices (*ibid.*). The population of the URT (including Zanzibar) is estimated at 41.3 million in 2007 (UNDP, 2009) compared with 34.4 million of 2002 (NBS, 2002); 44 per cent of the population is below the age of 15 years, and the median age is 18 years (*ibid.*). The unemployment rate is 11 per cent (31.3 per cent in Dar), while 32 per cent of the people aged between 5 and 17 are recorded as being employed (NBS, 2007a).

However, the country's economic growth rate between 2003 and 2007 was around 7 per cent on average (see URT, 2008a). Tanzania's economy relies heavily on agriculture (NBS, 2008b). Other industries include fishery, services (retail and wholesale, communication, tourism), manufacturing, construction and mining, for example (*ibid.*). This indicates that natural resources are very important for people's livelihoods (food, employment and income). Around 75 per cent of Tanzanians work in agriculture (*ibid.*). Other common occupations are service and retail, elementary occupations<sup>6</sup>, and craft and related work, especially in Dar (*ibid.*). Tanzania has no state social security except for the relatively few state employees (*ibid.*). The median monthly income of all employees is 50,000 (mean monthly income 97,307) Tanzanian shillings<sup>7</sup> (TZS) and 30,000 for the self-employed (mean monthly income TZS 75,693) (*ibid.*).

As noted above, natural resources contribute greatly to the livelihoods of the Tanzanians, but environmental degradation (pollution, land degradation) and related disasters (floods, drought and food shortages) are increasingly affecting the lives of the people as in the rest of the world (see e.g. Assey *et al*, 2007). Particularly, the problem is more serious for Tanzania, where poverty is manifest, for this is commonly associated with multiple health problems (that relate to water and waste management [relatively high percentage of 'throwing [garbage] inside/outside compound' for instance), malnutrition and vulnerability in general (see Andersson

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<sup>6</sup> ILO definition: 'simple and routine tasks which mainly require the use of hand-held tools and often some physical effort' (2004).

<sup>7</sup> 1,178.1 TZS per 1 US dollar in 2008 (Central Intelligence Agency, 2010).

and Slunge, 2005; Penrose *et al*, 2010). Policy failures (including corruption<sup>8</sup>) and mismanagement of natural resources and services associated with unsustainable exploitation of the environment work against the country's development goals (e.g. Kallonga *et al*, 2003; Mniwasa and Shauri, 2001). Preserving the environment is now recognised as one of the political and economic priorities (Assey *et al*, 2007; URT, 2004b; 2005) in theory if not in practice.

Dar is the largest city in Tanzania, and although Dodoma became the new capital of the country in 1974, many government offices remain in Dar. Dar is situated alongside the Indian Ocean, and is a rapidly growing city with a population of 3.31 million in 2008 (United Nations Human Settlements Programme [UN-HABITAT], 2008c). According to HBS (2000/01, 2007, NBS, 2002: 2008b), around half of households in Dar (in which members may be related, unrelated or both) rent privately. The following data are drawn from HBS (2002; 2008b). Most houses in Dar are made of concrete, cement, and stone, with galvanized metal sheet roofs. Over 80 per cent of Dar's households have pit latrines (either private or shared in compounds) and over 50 per cent have electricity. Many households use charcoal (74.9 per cent) for cooking, and are lit by electricity (54.3 per cent) or paraffin (42.4 per cent), while drawing drinking water from one or more sources: piped water (61.5 per cent), a private/public tap (74.7 per cent), a protected public/private well (23.7 per cent), an unprotected public/private well (5.8 per cent), or a water vendor (8.1 per cent), while 48 per cent of all Tanzanian households rely on unprotected sources. Four out of five households in Dar have access to a piped or protected source of water within 30 minutes walk and on average per household people spend 15.8 minutes collecting water in contrast to an average 40.3 minutes for rural households. Yet, the electricity and water supplies are very unreliable, and water from a tap is usually stored for many days in large tanks before being used while the water supply is off (from my

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<sup>8</sup> The fourth President of Tanzania Jakaya Kikwete's (2005-) 2005 election promise was to tackle corruptions, but Tanzania has steadily dropped from 93 in 2006 to 126 in 2009 (Corruption Perceptions Index, Transparency International, 2006; 2007; 2008; 2009). Recent high-profile corruption allegation cases include: the Bank of Tanzania's External Payments Arrears and the Twin Towers project (James and Bitekeye, 2010; Naluyaga and John, 2010); the Richmond electricity generation case, over which the former Prime Minister Edward Lowassa, and two other ministers resigned (BBC, 2008); and a defence contract with the British firm BAE (The Guardian, 2010). Ngware (2003) reviewed corruption in Tanzania.

private research diary). People usually throw garbage into a pit (38.5 per cent) or on to the ground (17.4 per cent) inside or outside their compound or they use a rubbish bin (20.3 per cent). Two thirds<sup>9</sup> of the urban population lived in slums in 1999, and prevalence of slum households living in slum area is 94.9 per cent (UN-HABITAT, 2006b; 2008a in; UN-HABITAT, 2008b: 266 and 131 respectively).

Infant and under-five mortality and malnutrition rates have fallen (URT, 2009b) and the life expectancy at birth is 55 years in 2007 (UNDP, 2009), but the very high maternal mortality rate continues (URT, 2009b). HIV prevalence is at 6.2 per cent in 2007 among 15 to 49 year olds (it is 0.2 per cent in the United Kingdom) ((Joint United Nations Programme on HIV/AIDS [UNAIDS], 2008). With regard to education, the adult post 15 years reported literacy rate is 72.5 per cent (in at least one language), and is highest in Swahili (70.6 per cent) with 9.7 per cent also reading English (NBS, 2008b).

These background data about the national and city-wide political, economic and social context are intended to describe some of the serious challenges faced by teachers and students in the two schools I studied. Later chapters will analyse in more detail their practical impact on daily life, and especially on the ways adults and children cooperated and dealt with conflict. The next section considers the legal and policy background.

### **Tanzanian education policy and programmes**

Ever since its independence in 1961 (Zanzibar in 1963) Tanzania has identified education as essential to its social, economic and political development strategies and goals (Galabawa, 2001; Nyerere, 1974; URT, 1995; 2008c), formally stated in the National Strategy for Growth and Reduction of Poverty (NSGRP or MKUKUTA in Swahili acronym) (URT, 2005) informed by Tanzania's Development Vision (Vision 2025) that aspires for high and shared growth, peace, good governance, and good quality of life.

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<sup>9</sup> It was estimated at 92.1 per cent in 2001, and Davis (2007) refers to this rate, which makes Tanzania's slum prevalence the second largest in the world. I use the revised definition that does not include all households with pit latrines (UN, 2010), because presence of pit latrines does not necessarily mean the poorest quality housing, lack of clean water, electricity, and sanitary conditions.

From 1967 to the early 1980s, education policy was closely associated with socialism and the philosophies of Ujamaa (familyhood or 'African socialism') and the Education for Self-Reliance (ESR) (Galabawa, 2001; Nyerere, 1967). The country's first president Julius Nyerere (1964-1985) criticised the elitist education system inherited from German and British colonial rule, and aspired towards egalitarianism, mutual support and social unity, with practical education relevant to the daily life and work of the Tanzanians (Nyerere, 1967; Nyerere, 1973<sup>10</sup>). Swahili (now spoken by nearly all Tanzanians) was promoted as the national language and the medium of instruction in primary schools. This helped to prevent potential (ethnic) conflicts in a country of over 120 ethnic groups (Campbell, 2002; Topan, 2008; Vavrus, 2002). During this period, the government of Tanzania aimed to implement Universal Primary Education (UPE) (URT, 1995). Enrolment rates rose significantly for the first several years, but quality remained poor with the impractical curriculum (Cooksey and Riedmiller, 1997; Galabawa, 2001).

Despite its aspiration, by the early 1980s the country's economic situation worsened, combined with bureaucratic inefficiency and corruption (Cooksey and Riedmiller, 1997). From the mid-1980s, instructed by the International Monetary Fund (IMF) Tanzania introduced structural reforms, which involved charging school fees (e.g. Cooksey and Riedmiller, 1997; Vavrus, 2002). The Constitutional changes in 1993 re-introduced a multi-party democracy. From 1995, the national Education and Training Policy (ETP) (URT, 1995) (currently under review) has guaranteed access to pre-primary and primary education and adult literacy for all citizens as a basic right. However the enrolment rate continued to fall (Ministry of Education and Culture Tanzania [MoEC], 2001a)<sup>11</sup>.

The Education Sector Development Programme (ESDP) that covers all education subsectors (except one) lists objectives such as: decentralise (to devolution of power and cost-sharing); increase access to basic education; improve the quality of

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<sup>10</sup> Also see Mbilinyi (2003) for a very brief overview of its implementation from the 1970's to the early 2000s.

<sup>11</sup> It is now called Ministry of Education and Vocational Training (MoEVT) (2005-).

education; introduce programmes such as Primary and Secondary Education Development Programmes (PEDP 2002-2006, URT, 2001; SEDP 2004-2009, URT, 2004a; PEDP II 2007-2011, 2006) (see Appendix 4: Education System in Tanzania). In 2002, as part of the PEDP (URT, 2001), primary school fees were abolished (while students still had to pay for their uniforms and other 'contributions', see, Chapter 8). Once again, there was a sharp increase in the reported primary net enrolment rate (NER) from 66 per cent in 2001 to 97.3 per cent in 2007, with Secondary Form 1-4 NER rising from 6.3 per cent in 2003 to 20.7 per cent in 2007 (NBS, 2007b). However, the enrollment rate does not necessarily reflect the numbers attending through the whole school year, and according to HBS 2000/2001 and HBS 2007, while the proportion of children (aged 7-13 years), who do not attend schools because of the cost, decreased from 42.2 per cent to 6.2 per cent, those children who listed schooling being useless or uninteresting increased from 2.3 per cent to 22.2 per cent (in Dar) (NBS, 2002; 2008b). As many writers point out, the problems in schools remain, despite the formal aims of PEDP to promote enabling and supportive learning environments through, for example, improved teaching practices, equipment and classrooms (Benson, 2006; Galabawa, 2001; URT, 2001; see Chapters 7-9).

### **Tanzanian law and the UNCRC: education and corporal punishment**

The government of Tanzania has been slowly moving towards the banning of corporal punishment. The UNCRC has been translated into Swahili, and the government publicises the UNCRC through countrywide television and radio stations in co-operation with international and local NGOs (URT, 2006b). Despite some progress, the process has been slow. The government claims that it is hindered in implementing the UNCRC because it has to respect public opinion including children's views (URT, 2006b).

Tanzania ratified the UNCRC in 1991 and the African Charter on the Rights and Welfare of the Child (ACRWC) of 1990 (Organisation of African Unity/African Union [OAU/AU], 1990) in 2003, and has submitted two periodic reports to the UN Committee under UNCRC Article 44. Tanzania has also ratified the two optional Protocols to the UNCRC on the sale of children, child prostitution and child pornography in 2003 and on the involvement of children in armed conflict in 2004

(UN, 2001b; URT, 2006b), besides promoting policies that aim to protect and promote the rights of the child. For example, the URT Constitution (1984/1998) has been amended to include the rights to life, to personal freedom, to privacy and personal security, freedom of expression and of conscience (Shivji *et al*, 2004; URT, 1984/1998). The UNCRC imposes legal obligations under international law and is partly recognised in the Tanzanian courts<sup>12</sup>. However, 'legislation, coordination, corporal punishment, child labour and juvenile justice', with which the Committee stated that reform was needed, 'have not been given sufficient follow-up' (UN, 2006a: para. 6).

With regard to the problem of corporal punishment of children and children's rights, the Law of the Child Act 2009 (the Child Act) (URT, 2009a) is reviewed here. Although the 193 states that have ratified the UNCRC in doing so undertook to implement it in their national law, very few states have done so. The Child Act reflects the Tanzanian government's commitment (or its reaction to pressures) to translate the UNCRC into national law, and puts together many laws, mostly derived from the colonial era, concerning the status and welfare of children. This effort to provide the legal framework to protect and realise Tanzanian children's rights is a big step forward.

The Child Act (URT, 2009a) includes children's rights to non-discrimination, to a name and nationality, to grow up with their parents, to form and express views and to be heard, to respect for their worth and dignity, to protection from abuse (physical, moral or emotional) and from exploitative labour, as well as rights to food, shelter, clothing, health care, education and the right to play and leisure. It also includes the general duty of the child to respect adults, the society and culture in general (URT, 2009a: Article 15), and Article 13 states:

- 1) A person shall not subject a child to torture, or other cruel, inhuman punishment or degrading treatment including any cultural practice, which dehumanises or is injurious to the physical and mental well-being of a child.
- 2) No correction of a child is justifiable which is unreasonable in kind or in degree according to the age, physical and mental condition of the child and no

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<sup>12</sup> See, e.g. *Juma v. Kifulefule*, Tanzania, Civil Appeal No. 247 of 2001, High Court of Tanzania, 2004 refers to Article 3 of UNCRC as well as Articles 13, 19, and 26 of the Tanzanian Constitution and Articles 2 and 16 of Convention on the Elimination of All Forms of discrimination against Women.



correction is justifiable if the child is by reason of tender age or otherwise incapable of understanding the purpose of the correction.

- 3) The term "degrading treatment" as used in this section means an act done to a child with the intention of humiliating or lowering his dignity.

The Child Act does not explicitly abolish corporal punishment in homes, schools, penal systems or in other settings, because 'reasonable' corporal punishment for disciplinary purposes could be 'justifiable', as it still is permitted in English law if administered by parents. In particular, corporal punishment is still legal in the Tanzanian Education system as specified in the Corporal Punishment Act of 1979 and the Education Act of 1978 (Article 60). The Education Regulations of 2002 state that corporal punishment means, 'punishment by striking a pupil on his hand or on his normally clothed buttocks with a light, flexible stick but excludes striking a child with any other instrument on any other part of the body' (as quoted in Shivji *et al*, 2004: 214). According to the Education Circular no. 24, 2002, the maximum number of strokes has been reduced from 6 to 4 (MoEC, 2002). This Circular also includes rules such as:

- Corporal punishment can be administered by the head teacher or other teachers selected by the head teacher;
- If a child or parent refuses corporal punishment, the child may be suspended from school; and
- Any teacher, who violates the regulations, may be subjected to disciplinary action.

Chapter 8 will review further the policies and practices relating to corporal punishment, and the views of some Tanzanian adults that the idea of children's rights undermines and is detrimental to long established customs and traditions, as well as comments to me from some children that corporal punishment could even be beneficial, when it is applied appropriately. Another major theme in this thesis is the nature of pain in relation to conceptions of 'appropriate' or 'reasonable' punishment and to children's rights.

### **1.1.3 Pain, punishment and rights**

This chapter began with an unusual example, which vividly illustrates that although the infliction of pain on adults' bodies tends to be seen as a violation of their rights, the same right is often denied to children. This raises questions about the nature of

pain as sensory, embodied and emotional experiences, that have been studied both biologically and sociologically (e.g. Aalten, 2007; Bendelow and Williams, 1995; Coakley and Shelemay, 2007; Kleinman, 2006; Scarry, 1985). Pain cannot be objectively measured, and pain levels are affected by personal and social attitudes, by fears and memories, and by social contexts. It is likely to be easier for 'brave soldiers' to endure pain, than for 'tortured prisoners' to cope with similar injury. To distinguish physical from psychological pain can only be notional, and does not help to alleviate pain (Fields, 2007). I may even be able to feel your pain. Pain can reinforce or reduce 'power' (more on power in Chapter 4). A sacred, educational and respectable act for you may seem a violent and distasteful act to me. Pain is felt by all animals, and in humans it can relate to sensibilities; it may be alleviated through religious practices, or music, or other cultural experiences.

Many studies examine how to relieve pain, but many others try to show the benefit of painful corporal punishment of children (see chapter 4). They raise questions about how interpretations transform the 'real' mechanism of pain, from experiences that we essentially want to avoid, into ones from which we may even seek pleasure, respect, and security. Can corporal punishment of children be justified? Why does pain seem to become so presentable and acceptable when it is arbitrarily and legally applied to children, and who benefits? What do such practices communicate to the child in pain and to us? Do they teach empathy, rules of behaviour or bitterness? Or is the practice not communicative at all? What are the emerging properties of the body in pain?

I understand pain as bodily experience, not distinguishable from mental experience. When a child was hit in the Tanzanian schoolyard, I remembered (with sudden burst of fear) the same expression on the face of a boy who was hit by his parent more than a decade ago, in a department store in Japan. Both boys cried. I am conscious of displaying any pain I experience in different ways, whether when I was a child, or was in Japan, or in England, or in Tanzania, whether in front of my family, my friends, or strangers. Or perhaps I feel that I am expressing it in different ways, but it may simply appear the same to others. What I saw on the face or body of the child in pain could

have appeared differently to someone else who witnessed the child. Pain is not reducible to culture, rationalities-emotions, or to power (see Chapters 8 and 9).

Any biological, philosophical, sociological or psychological explanations of pain in the literature are interesting and informative in their own different ways. I have attempted to describe pain with my own words, for I think I know what pain is. You could be seen as 'deficient' if you do not feel empathy for others in pain, but it is somehow justified to exempt children from empathy if they are being punished for misbehaviour. The focus shifts from pain alleviation for the sufferer to the moral claims of the punitive adult spectator. The child spectators are usually expected to feel the sufferer's pain for the purpose of deterrence. The question of morality often shifts from empathy to 'utility' as if the body is an unchanging locus of moral ideas that can be put aside or used according to ideals about better ideas, a better society, and a better future (see Chapters 7 and 8). These lay explanations about pain and emotion are my starting points that require further explanations, and will be explored in Chapter 8 (see Hartwig, 2007: 193).

Chapter 8 will address pain, punishment and rights. The multi-level nature of pain, including experiences of painful corporal punishment, in our social and natural world, in relationships with the others and oneself, requires research theories and methods which address many levels, as considered in later chapters.

## **1.2 Aims of the study**

Based on my understanding of critical realist methodology (Chapters 5 and 6), amongst other methodologies, this thesis will argue that it is the lack of recognition of real connections between mind-body, society-individual, reason-emotion, and ideal-real that continues to contribute to the acceptance of corporal punishment of children (but not of adults) (Chapters 2-4). Much of the research on corporal punishment mainly focuses on the potential consequences of the practices or social constructions of pain and the body as separate from reason and the mind (see Chapters 2-4). This thesis focuses on possible reasons for the wide acceptance of the corporal punishment of children, not in terms of cultural diversity or assumed ideal universality (Chapter 2), but in terms of our (external as well as internal) relations to

nature, others, society and the self (Chapters 7 and 8). During the fieldwork in Dar, the following methods of data collection were used: Individual interviews with children and adults; focus group interviews with children; the students' diaries and a teacher's diary, photographs and drawings; my own field notes, private research diary (Section 6.5). Through the experiences from two urban primary schools in Dar, the research aims to understand how human rights are embodied in our lives (Chapter 9).

The thesis aims to contribute to the sociology of childhood and children's rights using critical realist ideas, which add an ontological dimension to the on-going debate. These critical realist ideas are, namely, four-planar social being and MELD (Chapter 5). Particular concerns are: how critical realism can inform understanding of the ontology of the child's body in pain; how children's and adults' experiences of pain are given different meanings; and how critical realist ontology and epistemology help to justify the possibility of universal human rights intended to protect children from corporal punishment. This research also aims to illustrate the importance of respecting children's views in practice (not only in rhetoric) in order to make any changes to the understanding, policy and practice of disciplinary methods in all settings.

### **1.3 Outline of the thesis**

In order to prepare grounds for applying critical realist ideas (Chapter 5) to an ethnographic study of childhood and children's rights in relation to corporal punishment, Chapters 2-4 will survey debates in the fields of human rights, childhood studies, and punishment, as introductory background to the critical realism analyses of my data in Chapters 6-8.

Chapter 2 will review human rights and resistance to the implementation of international human rights law, including the UNCRC, at philosophical and sociological levels – pointing towards problems of what Bhaskar (e.g. 2008a; 2008b) calls the 'epistemic fallacy' (Sections 5.5, 5.6, 7.3, 9.3). By viewing human rights as entitlements that aspire to the 'real possibilities' of human beings, I will raise questions about cultural relativists' arguments against the universality of human rights, which I will contend depend too heavily on the idea of society as a fixed aggregates of closed and self-contained systems, in which individual agents are seen

merely as passive actors, who perform their allocated social roles. The chapter will also question the sharp distinction between western individualism and non-western communitarian ethics, and will identify the problems of divisions and exclusions implicit in the critiques of human and children's rights.

Chapter 3 will critically review positivist and Interpretivist accounts of childhood, both of which will be examined through critical realist ideas in Chapter 7. Chapter 3 will start by drawing out positivist accounts of childhood based on child development (psychology) and socialisation theories, and point out the problem of sharp distinctions between childhood as an inferior status and adulthood as normality, against which childhood can be measured – and found wanting. The chapter will then review Interpretivist<sup>13</sup> perspectives on childhood that emerged in reaction to positivism. The socially constructed child, social structural child, tribal child, and minority group child will then be reviewed as the models of the child, which continue to rework the concept of childhood(s). Finally, I will point out the ontologies of childhood implicit in both positivist and Interpretivist approaches, which are unable to answer my questions about how to account for children's embodied experiences of the existence or the lack of human rights.

I will begin Chapter 4 by pointing out inconsistencies between the Tanzanian and ACRWC understandings and the UNCRC interpretation of corporal punishment. After reviewing philosophical and sociological approaches to punishment, in which 'African' implied distinctions between the corporal punishment of children and of adults can be traced (see Chapter 8), I will analyse the epistemology of the existing approaches, and will question how to account for the nature of pain that also needs to be understood as embodied experiences and relationality<sup>14</sup> (see Sections 5.5 and 5.6 and Chapters 6-8) in bodies.

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<sup>13</sup> I distinguish 'Interpretivism' that refers to idealist ontology associated with constructivist epistemology from Weber's 'interpretivism' (small i) that focused more on models of rational social action.

<sup>14</sup> 'Relationality' from a critical realist position can be described as something like: an ontology of being and becoming that stands in between Kantian individualism (individuals abstracted from their context) and a communitarian/structuralist personhood constructed in social relations (Norrie, 2000; see Bhaskar, 2008b). It calls for ontology of both positive and negative being in the world and sustains critical realist concepts of continuity and change (Norrie, 2010; see Bhaskar, 2008b).

Chapter 5 on methodology as the theories that inform methods will thus critically review the epistemological and ontological problems of the positivist, Interpretivist and critical approaches to methodologies. It will then explain how critical realism can help to analyse the real experiences of the bodies in pain – reasons for choosing critical realist approach. Chapter 6 will then describe the practical processes before, during and after my main fieldwork, and methods of research and their compatibility with the insights I gained from the critical realism, some potential and encountered ethical research problems, and some limitations of the research.

Chapters 7 and 8 present the main findings from the fieldwork, and identify problems that are analysed within the critical realist understanding of ontology through the concepts of four-planar social being and MELD. By showing how the usual accounts of human nature or four-planar social being are imbued with a series of splits, the two chapters will illuminate the generative mechanism under power<sub>2</sub> (see Section 5.6) relations with regard to childhood and punishment. Reflecting on the positivist and Interpretivist approaches sketched in the preceding chapters, the two chapters will argue that both childhood and punishment need to be understood as product as well as process, which are emergent of structure-agency dialectics in open-systems at multiple levels. The MELD sections will show the moments of absence and emphasise how recognition of absence is essential in order to realise the possibilities of human agents that absent the power<sub>2</sub> processes of reproduction of the unequal relationships – transformation and change of underlying structures for greater freedom and justice for all.

Chapter 9 concludes by considering the problems of corporal punishment of children in the two schools as problems of absence of honouring children as human beings, who are entitled to human rights just as adults are through four-planar social being and MELD.

## **Chapter 2 Human rights and culture**

### **2.1 Introduction**

This chapter reviews the literature regarding the concepts of human rights and culture. Cali and Meckled-Garcia (2006) argue that the debates about human rights are too often centred on the specification and implementation of the international human rights law, and pay little attention to non-legal discussion. While the importance of the legal approach must be acknowledged, this thesis is more concerned with this non-legal aspect of the human rights ideals we often take for granted. The chapter starts with a brief overview of the debates over human rights for children and adults. It tries to show how our conceptions of childhood and adulthood are reflected in the changes in the debates over international law, and how these ideas also contribute to differential distribution of supposedly equal human rights to adults and children in these discussions that emanate from their codification. This chapter looks at the implications of concept of rights as rightness and entitlement (see Section 2.2.2). The next section then tries to locate the source of human rights in each socio-cultural context. This is followed by the problems raised by the cultural relativist approach to human rights. The following sections review the literature that argues for and against the cultural relativism approach. The final section summarises the chapter and raises some key questions, which will be covered in the following chapters.

### **2.2 Meanings and history of human rights: human rights for children and adults**

Concepts of human rights developed over the centuries. Human rights are usually regarded as a set of moral principles about necessary conditions for respecting the integrity and dignity of human beings (e.g. Griffin, 2002). Human rights pertain to what it means to be human, and this personhood is commonly associated with concepts such as rationality, autonomy and capability (Griffin, 2002: 20-21). However there has been persistent resistance to children's rights, because children are often perceived as 'not yet' fully human. The commonly held argument against children's rights can be summarised like this: 'children do not have human rights, because they are irrational, dependent and incapable (of making decisions and taking responsibilities)'. The struggles against the belief that views children as mere objects

saw 'the beginning of a new way of dealing with children, enshrined now in hard law by the international community' (Verhellen, 2000b: 9). Although the principles of human rights should not be reduced to the human rights codified in international law, their interpretations, specifications and their implementations are commonly associated with the set of principles prescribed in international laws since the inception of the Universal Declaration of Human Rights (the UDHR) (Cali and Meckled-Garcia, 2006; UN, 1948). This thesis therefore regards international law as a form of ontology or embodiment of human rights, which is further embodied in social practices (this idea will be applied to the findings in Chapters 7-9).

As a response to the devastation after the two world wars, the Charter of the UN (the Charter) was adopted in 1945, and the UN replaced the League of Nations. The Charter aims to 'reaffirm our faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small'. The UN then affirmed a body of international human rights by proclaiming the UDHR in 1948 (10<sup>th</sup> December). There have been subsequent International Covenants (on Civil and Political Rights [ICCPR, UN, 1966a] and on Economic, Social and Cultural Rights [ICESCR, UN, 1966b]). Smith (2003) argues that protection of human rights and international legal instruments before the foundation of the United Nations had been rather sporadic, but the UDHR established a basis for the more comprehensive set of human rights principles and the mechanisms that aim to respond to human rights violations more comprehensively (also see Verhellen, 2000a). The UDHR now receives support from countries and organisations from all over the world. The UDHR's primary intention was to prevent atrocities of the kind that the Nazis had committed, 'which have outraged the conscience of mankind' (UDHR, 1948: Preamble). These rights are typically claimed, when their enjoyment of something being right and being respected by the duty-bearer, such as the right to a name and a nationality, is questioned, threatened, or denied. Violations of rights involve a distinctive force and legal remedial logic (Donnelly, 2003a: 21; Donnelly, 2003b: 8, 10).



Explicit in the idea of *international legal* protection is that ‘the state cannot be trusted sufficiently to protect the rights of all persons and groups within its territorial jurisdiction’ (An-Na'im and Hammond, 2002: 14). However, once a state ratifies the *international legal* instruments, such as the UNCRC (UN, 1989), the rights codified in the instrument are, in theory, assured *by* the state. Therefore, international human rights as promoted by the UN are concerned with both the relations between states and the interactions between the state and individuals. Cali and Meckled-Garcia review the complexities involved in such a seemingly ‘simple image of a transference of human rights aims or ideals into human rights legal aims and practice,’ because such codification of universal human rights ‘is likely to be sensitive to a number of non-neutral influences...and the accommodation of other goals and values than human rights themselves’ (2006: 1). Moreover as writers such as Brown (1999), Donnelly (2006: 67-8), and Freeman (2002: 35) contend, this rights-based, *legal* approach does not justify and/or explain how ‘being human’ gives entitlement to the ‘universal’ rights. Bojer (2000; 2005) points out that children, not to mention their views about human rights, are very often absent from any supposedly universal human rights debates whether it is legal, social, economic, political and/or philosophical (except in the sphere of juvenile justice, but even in this sphere children tend to be treated as mere objects). Therefore, before I touch upon some discussions over the concept of *human* rights (as universal equal entitlement), perceived differences between the human rights of adults and of children are briefly explained in the following section.

### **2.2.1 The Convention on the Rights of the Child (UN, 1989)**

There has been much discussion over the centuries about what it means to be human, and about conceptions of ‘the child’ (discussed in Chapter 3). For John Stuart Mill (1859) the principle of liberty, which is recognised as part of human rights,

‘*applies* only to human beings in the maturity of their faculties. We are not speaking of children, ... Those who are still in a state to require being taken care of by others, must be protected against their own actions as well as against external injury,’ (cited in Freeman, 2004: xvi).

Many writers acknowledge that the international trend in the discursive construction of childhood goes hand in hand with the interpretations of human rights and development of the international laws that concern children (e.g. Freeman, 1998;

James and James, 2004; Mayall, 2000b; Verhellen, 2000b). Advocates of children's rights value the UNCRC as a set of comprehensive international instruments that concern provision for basic needs for food, education, health care and just legal systems, the protection from abuse and neglect and the freedoms: of association within the family and community; of information and expression; of thought, conscience and religion. The rights are qualified with respect to preventing harm to the child and to others, to public law and order, public health and morals, to the best interests and evolving capacities of the child, and to the worth and dignity of every child (e.g. Alderson, 2008; James and James, 2004; Veerman, 1992; Verhellen, 2000b). Lee (2005: 3) describes the UNCRC as shifting the status of children from that of being 'owned' by adults (parents, community or a state) to that of 'self-possession' thereby recognising children's ability to possess agency without being disconnected from adults.

Yet there are different interpretations of children's rights ranging from views that focus on children's needs, to views that emphasise their abilities to make decisions and their qualified autonomy. As Lee partly explains in terms of adults' 'separation anxiety' some opponents criticise the UNCRC or the concept of 'children's rights' itself for eroding the bonds between, for example, parent, (adult-centred) society, and child (2005: 4). Hafen (1976) criticised the advocates for 'abandoning children to their rights' (also see Hafen and Hafen, 1996). In discussions of children's rights, the principle of respect for the dignity of the human person and equality and autonomy tends to be dominated by needs-based arguments, which assume the particular social status accorded to childhood as a vulnerable social group, needing protection from the adult world (Woodhead, 1997). This is clearly exemplified in the above statement by Mill (1859). For example, in state legislations worldwide, children usually do not have autonomy or the right to make decisions on their own behalf. The UNCRC does not mention decision-making. English, and therefore Commonwealth law in over 50 countries does go beyond the UNCRC in recognising the right of minors to make legally valid decisions for themselves (*Gillick v. Wisbech and W Norfolk AHA*, 1985). As a milestone for changes in the images of children, the following briefly outlines the genesis of the UNCRC.

The Assembly of the League of Nations proclaimed the 1924 International Charter of children's Rights. And in 1959, the UN General Assembly proclaimed the Declaration of the Rights of Children, although this was a statement of principles, to which governments could not be held accountable for their actions. The 1970s witnessed a growth of the children's rights movement (Freeman, 2004: xiii-xiv) and the drafting of the UNCRC, a Convention and therefore a strong form of international treaty, took ten years, during which representatives from minority (richer) world and also majority world countries (e.g. Algeria, Argentina, Senegal, Venezuela and many from States with Islamic law) were involved (Donnelly, 2006: 70-71; UNHCHR, 2007a; 2007b; Van Buren, 1995). The UNCRC, as a means to improve the situation of children, has been ratified by all UN member states except Somalia and the United States. As the most widely accepted international human rights treaty, UNCRC has influenced legislation in many states and regional conventions such as the ACRWC (OAU/AU, 1990), UNCRC and the African Charter have also become the framework for many international and national NGOs' programmes, and they enshrine articles from general human rights documents. The Committee monitors the implementation of the UNCRC. Additionally, several enforcement organisations and mechanisms include the Child Rights Caucus for the UN General Assembly Special Session on Children. In order to influence the process of policy-making in a particular country in a constructive manner, the Committee reviews each country's report approximately every five years. This review recognises the difficulties each country faces concerning its culture (see Section 2.4), resources, political system and other factors.

The UNCRC encompasses the moral and legal, civil and political, and social, economic and cultural rights that are closely related to the equality and partial autonomy that children are entitled to. UNICEF (2009) defines the main principles of the UNCRC as:

- the right to survival and development;
- respect for the best interests for the child;
- the right of children to express their views on all matters affecting them;
- the right of all children not to be discriminated against.

Yet many advocates of children's rights point out the gap between the almost universal ratification of the UNCRC and the implementations of its principles (e.g.

Children's Rights Alliance for England, 2008; James and James, 2004; UNICEF, 2009). One example of such gaps is evident in the case of corporal punishment (the subject of this thesis). Attitudes toward childhood have gradually shifted from the emphasis on children's economic value, their duties and obligations to their needs for psychological welfare (Hendrick, 1997; Jenks, 2005; Tisdall, Brown and Docherty, 1998; Twum-Danso, 2008; Woodhead, 1997) and for respect for the child's individuality and autonomy (e.g. Freeman, 1998; James, 2009; Mayall, 2000b).

Many writers, who are supportive of children's rights, argue that the perceived developmental needs of children can make children's rights susceptible to political and cultural considerations, guided by the still dominant view that regards children as becomings instead of also as human beings (e.g. James and James, 2004; Qvortrup, 2005) (more on this in Chapter 3). Verhellen (2000b) states that we are all unfinished products. The human rights of adults, who are supposedly more capable and in a finished state, are often discussed in terms of the universal concept of humanity. Their abilities to make 'rational' decisions and to be held responsible for their decisions and children's presumed inabilities tend to be taken for granted. As mentioned above, many point out that the law often reflects and is transformed by our social relations, which is why some writers question universalising tendencies of the UNCRC in relation to childhood (Boyden, 1997). However, Verhellen (2000b) argues that differences between people should not suggest the legitimacy of unequal treatment with regard to their rights (also see Chapters 3 and 4).

Eichsteller (2009) points out that Korczak (1878-1942), who influenced the children's rights movement, viewed childhood as a period of being instead of becoming. Korczak placed more emphasis on children's autonomy and ability to participate in decision making as rights holders, who must be treated with respect for their particular experiences as individuals just as adults should be. Later, critical realist concepts of both being and becoming will be reviewed (see Chapters 5-8). This attention to respect resonates with the mutually complementing and indivisible principles of the UNCRC that are often categorised into the provision, protection and participation or qualified autonomy rights mentioned earlier.

The proponents of children's rights continue to support the UNCRC, although to different degrees. Concepts of rights draw attention to the subjectivity of the child as a rights bearer, raising the questions, what does it mean to be a rights holder? How do humans come to 'have' rights?

### **2.2.2 Rights as rightness and entitlement: natural and legal human rights**

The concept of 'rights' is connected to a standard of rightness (Freeman, 2002: 5). Rights can also be perceived as entitlements that one holds as a human being entitled to hold human rights, in the natural law tradition of Thomas Hobbes (1651/1983) and John Locke (1689/1967) of inalienable rights. Although they wrote only of property owning men, their concepts have since been extended to all other human groups. However, some writers state that even if all societies across time and culture may have had standards of rightness, justice and humanity (human dignity), which consist of rules of appropriate social behaviour and rules of fairness, many societies have not held the concept of human rights as equal entitlements, and the basic principle that human rights are individual and that everyone, regardless of status, is equally entitled to them (Donnelly, 1999; Donnelly, 2007; Freeman, 2002: 5; Howard, 1992: 85; Howard, 1993: 316; Leary, 1990: 16).

As Parekh (1999: 138) points out, some former consensus over rightness that existed cross-culturally, such as the low status of women, children and the poor, is today unacceptable in many countries. Therefore, if rights are only perceived as the general moral standards derived from some kind of lowest common accepted denominator, they may be 'devoid of real content'. As Brown (1999: 108) criticises, human rights could end up as an uncritical notion that merely imposes responsibilities on those who are already marginalised, because the standards of rightness focus mainly on the rights bearer's obligations or duties (Donnelly, 2003b: 7). However, the emphasis on rights as entitlement helps to draw attention to the right-holder's entitlement to enjoy one's rights. Rights as entitlement empower those who hold them instead of reducing them to passive beneficiaries who merely enjoy the benefit that is accompanied by many societal responsibilities (Donnelly, 2003b: 8).

Although these two moral senses cannot be separated or be reduced to each other, the distinction between 'right' as standard of rightness and as entitlement is useful when we consider the UN concept of human rights as legal as well as moral rights. Natural or moral rights are contrasted with legal rights.

Natural rights are assumed to be possessed by all human beings whether or not they are embodied in systems of legal law. The classic theories of natural rights presented by Hobbes (1651) and Locke (1689) assumed God as the source of natural rights. The modern concept of human rights is a reformulation of this idea (Cohen, 1992: 54; Donnelly, 1990; Freeman, 2002: 10; Jones, 1994: 72). They exist, and everyone can have human rights. The process, in which the idea of rights passed from the Locke's natural rights, based on Christian philosophy through the secularized UDHR (UN, 1948), was complex and remains obscure (Smith and Van den Anker, 2005: 152). However, it is generally understood that the American Declaration of Independence (1776) and the French Declaration of the Rights of Man and the Citizen (1789) were important inspirations for the modern concept of human rights (e.g. Freeman, 2002: 23-26; Smith and Van den Anker, 2005: 153). Although the Declaration of Independence was far from universal, and was assumed to be compatible with discrimination against women, and slaves, it almost secularised natural rights (Freeman, 2002: 23-24). The Rights of Man were criticised by Karl Marx (1867) as the ideology of the bourgeois class seeking to promote inequality, but they were gradually extended to women and slaves and other minority groups (Freeman, 2002: 25, 29-30; Smith and Van den Anker, 2005: 247). These developments, in the nineteenth century as exemplified by John Stuart Mill (1806-1873) and G. W. F. Hegel (1770-1831) as well as those in the early twentieth century through campaigns against slavery, racial and sexist discrimination, and so forth, contributed to the development of modern concepts of human rights. Discussions of international human rights often simply postulate that human rights are natural.

The legal positivists argue that rights without legal sanctions and remedies are 'nonsense upon stilts' (Bentham, 2010: 914). Legal positivism or positive law usually refers to the kind of law normally enforced by institutions such as government, the

police and the judiciary (for detailed introduction to this discussion, see Jones, 1994), Governments' laws frequently violate agreed rights, such as to privacy and equality (Human Rights Watch, World Reports published annually; Jones, 1994: 81; the violations of UNCRC are regularly reported by governments and reviewed by the Committee in Geneva on the UNICEF website). Some writers point out that the classical legal approach provides 'objective' standards that allow no room for moral controversy (Cohen, 1992: 53; Freeman, 2002; Woodiwiss, 2005).

There is growing acceptance of human rights as universal, and 'not limited in application to the inhabitants of any particular jurisdiction or legal system, or to any race, creed or civilisation' (Brown, 1999: 106).

The modern concept of human rights, promoted by the UN, possesses the characteristics of both positive law and natural law in 'a set of general moral standards' (Finnis, 1980: 23). Thus the UDHR (Article 1) pronounces that '(A)ll human beings are born free and equal in dignity and rights', and rights derive from the dignity and worth inherent in the human person (ICCPR [1966a], ICESCR [1966b], UN Convention Against Torture [1975], The Vienna Declaration and Programme of Action [1993]). Yet the meaning and application of human rights standards have been contested. A main question for international human rights is the search for a clearly defined and justified set of general moral standards (as well as the criteria for rights bearers) that are applicable and acceptable to all nations and states. The philosophical problem of human rights is to show how they can be justified, if they derive neither from law nor from religions (Freeman, 2002: 10).

The UNCRC is just one treaty that moves to enshrine rights in law. If rights are also understood as equal entitlement, human rights can help us to critically engage with unacceptable situations, in which matters of human dignity are compromised, in the name of individual responsibility for others and society (more on this in Chapter 8). Examples of this can be found in the view that problematises children's rights as a source of moral confusion concerning parental rights (for more on this debate see e.g. Archard, 2004: 8-15; Freeman, 2000; Mayall, 1994; Schoeman, 1980; Wardle, 2004). But just what do we mean by human beings 'having' human rights?

Despite the UN's claim that human rights were universal and therefore included all people, the concept usually carries with it one important requirement: that rights holders are autonomous moral agents. Thus controversially, the developments described above have paved the way for some of those who are members of groups recognised (legally) as entitled to protection and/or support, including young children and people with severe learning difficulties and mental illness, to be denied the possibility of qualifying as rights holders because they lack the necessary personality and capacity as a result of particular 'dispositions', political or economic circumstances or perceived attributes. This problem is intrinsically related to what it means to be human, a question reviewed in the next section.

### **2.3 Towards a socio-cultural approach to human rights**

Except for some basic rights such as rights to life, freedom and security (yet even those basic rights can be the subject of controversy as they can have different meanings), some rights are '*aspirational*, not yet fully realisable' (Alderson, 2000: 23). Donnelly argues that the source of human rights is a prescriptive moral account of human possibility (Donnelly, 2003a: 21; Donnelly, 2003b: 15). Donnelly (1999; 2003a; 2003b; 2007) suggests that this prescriptive nature of human rights is better understood as the rights that we have to make us or recognise us as human (by respecting each other as rights holders), not simply because one is human (also see Booth, 1999: 51-52). This seemingly prescriptive list of some conditions for human dignity introduces us to some 'real possibilities' that are worth realising (Freeman, 2002: 57). Human rights enable us to 'critically' engage with rights, rather than merely be 'positively' concerned with rights, that is, to be concerned only with the empirical matter of what people believe to be right and wrong (Jones, 1994: 46). Thus I suggest that human rights principles are not a set of mere 'suggestions' or 'requests', but guiding principles to realise the possibilities of individuals in society (more on this in Chapters 8 and 9).

However, the conditions in the UDHR have often been criticised for being 'Western' and excluding the majority world. Yet even wealthy and powerful countries, in which capitalism has flourished, often fail to satisfy these requirements, because wealth and



virtue do not always coincide so that the need for human rights has arisen (Donnelly, 2003b: 23, 25). Even though lists of human rights may be prescriptive and do loosely relate to *a priori* moral principles, they emerged from the experiences of human beings and struggles to defend or realise their human dignity (Donnelly, 2003b: 58). This struggle illustrates precisely why human rights remain such a controversial and yet important subject matter. Stammers' analysis of social movements in the context of development of human rights as 'agents in the processes' illustrates the role of emergent aspects of ideas of human rights that can challenge the existing (often) unequal relations and structures (1999: 985).

Donnelly (2003b) argues that the relationship between the possibilities of human nature (seen as a moral posit), human rights, and political society is dialectical, and that the meanings and applications of modern human rights standards are both prescriptive and empirical. For example, proponents of human rights, who claim the interdependence and indivisibility of human rights and their associated values, argue that the political climate during the Cold War clarified the 'three generations' of international human rights: liberty and political rights; equal economic, social and cultural rights; and collective international, developmental and environmental rights (Donnelly, 2003b; Freeman, 2002: 47; Lyons and Mayall, 2003: 10-13; Smith and Van den Anker, 2005: 178-180). According to Freeman (2002) human rights were pushed to the margins of international politics in the 1950s during the Cold War. Freeman (2002) argues that different ideological concepts, the West's defence of rights as freedoms and Eastern European concerns with more equal socio-economic rights gradually gave way to an understanding that stresses equality and interdependence of all human rights with the end of the cold war, around 1989, also the year of the UNCRC.

Freeman (2002: 10), a lawyer, proposes that the content of human rights goes beyond legal statements into public motivation to protect rights as the values that make us human. Moreover, Jones (1994: 118) claims that these human rights may not be derived from a single theory of human rights, but from varying religious and philosophical origins and foundations. They have, according to Donnelly (2003b: 18-

21), gradually arisen as result of contingent and contentious agreements we have reached. The interdependent values embedded in human rights can potentially conflict at times, and thus a complex or thick understanding of the contexts becomes indispensable. The UDHR, like any list of human rights, requires some conditions for a life worthy of a human being (Donnelly, 2003b: 23). As noted above, however, this indivisibility of human rights values is often overlooked and human rights of children have been commonly seen as separating rather than binding society (Lee, 2005). Even though the theme of 'cultural relativism' has lessened in UN debates about human rights, 'the significance of national and regional particularities and various historical, cultural and religious backgrounds' remain as a part of the dialectic (UN, Donnelly, 2003b: 15-16; 1993). In the following section, I will review debates over cultural relativism, and later I will review this in the context of critical realism's dialectic of ontology and epistemology.

## **2.4 Cultural relativism**

Many writers from different disciplines argue that there is disagreement over the meaning and priority to be accorded to universal human rights in different societies (Dunne and Wheeler, 1999: 2-3). In the 1960s and 1970s, the views on culture amongst anthropologists were predominantly essentialist, creating a binary opposition between local contingent culture and the universality of human rights (Cowan, Dembour and Wilson, 2001). This approach to culture – cultural relativism – argues that each culture or society possesses its own rationality, coherence and set of values, and one can properly interpret the organisation, customs and beliefs (including ideas about human rights) of that society only in these local terms (Booth, 1999: 37; Smith and Van den Anker, 2005:354). Donnelly (2007: 17) recognises cultural relativism as a set of doctrines, both methodological and substantive. Methodological cultural relativism is advocated by, for example, Herskovits (1972), who argues for a non-judgmental analysis of cultures, which leads to a recognition of relativity of human rights.

Nevertheless as noted earlier, human rights discourses have become hegemonic of contemporary *international* society, through the UN and other international structures, nation states and their agents when they internationally, nationally and

locally regulate systems, institutions, laws, norms and interactions in accordance with human rights. Their principles are widely accepted as authoritative within the society of states (see Donnelly, 2003b: 38-40; Jones, 1994: 1,3; Lopatka, 1992; Midgrey, 1999: 160). There are six leading international human rights treaties (numbers in brackets show numbers of states that have ratified the treaties: civil and political rights - 165; economic, social, and cultural rights - 160; racial discrimination - 173; discrimination against women - 186; torture - 146; and the rights of the child - 193). They have an average of ratification by over 170 parties (UN, 2009) amongst which the CRC remains the most widely ratified convention.

Moreover the first comprehensive human rights treaty of the 21<sup>st</sup> century, the Convention on the Rights of Persons with Disabilities and its Optional Protocol, which was adopted in December 2006, was opened for signature on 30 March 2007, and received the highest number of signatories in history to a UN Convention on its opening day (UN, 2007). These events and common agreements give empirical evidence of the popularity that human rights norms and values have achieved. However, differences between the idea of universal human rights and practices of human rights amongst the governments, many of whom participated in drafting and signing these international treaties, still remain.

## **2.5 Critiques of cultural relativism**

As Lukes (2008) and others argue, the rhetoric of cultural relativism tolerates different values, but it does not allow us to critically engage with potentially harmful existing values, which often confuses tolerance with respect or impartiality. Lukes (2008) argues that the presence of different values is not the same as the absence of universal values. Since the 1970s, many opponents of cultural relativism have argued that the methodological approach to human rights assumes a 'substantive' normativity, which promotes the cross-cultural normative force of the UDHR. Implicit in such arguments is the association of a particular ontology of fixed substantial ethical principles and cultures and the shared epistemological approach to such objects. Critics of human rights often speak of 'African', 'Islamic', 'East-Asian', values, but for whom are they speaking, what are they describing, and what are their arguments against the universalist claims? The arguments regarding the ontology and

epistemology will be discussed in Chapter 5, but first I will review critiques of the cultural relativist approach to human rights.

There is no doubt that there are cultural differences amongst, for example, Tokyo, London and Dar. However, recognising differences and supporting diversity differs from allowing morally questionable activities, which deny or violate human dignity. The view of culture as holistic and unchanging entity has been rejected by many writers (e.g. Howard, 1986). Culture and/or rights (and/or rights as culture) are now defined by many as fluid, porous, historical and changing processes (e.g. Chanock, 2002; Howard, 1990; Merry, 2001).

Chanock (2002: 42) considers that culture should not be turned into 'a usable discursive weapon in a world of globalised symbolisation'. Societies everywhere and at any time frequently change and adapt to new conditions, because the social fabric is inherently adaptable (Howard, 1986: 23-24; Howard, 1990: 172). Merry (2001) thus argues that cultural diversity and universal human rights discourse are negotiable once this outdated and fixed Parsonian<sup>15</sup> notion of culture (more on this in Chapter 3) is abandoned. Except for the point that the concept of cultural relativism is associated with the universal principle to respect all cultures equally (see e.g. Wilson, 1997: 8), there are mainly three problematic assumptions in cultural relativism in any debate about human rights.

The first assumption is the definition of culture as a self-contained and unchanging entity. Secondly it is assumed that human beings have no moral resources other than their cultures, and hence are unable to have independent and critical thinking. The third assumption held by many cultural relativists is that the human rights are 'Western and individualistic' and therefore they are irrelevant for 'non-Western' societies that hold a communitarian ethic (see e.g. Kenyatta, 1938). I will discuss each in turn.

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<sup>15</sup> Parsons's (1951) view of culture and social actors drew much on the works of Durkheim (e.g. 1938) (also see Section 4.7.1). Parsonian functionalism emphasised a static view of normative cultures or values that regulates the roles individual actors play under conditions actors are unable to change.

### 2.5.1 Culture in closed-systems/self-contained culture thesis

In his discussion of the 'African' concept of human rights, Mutua (2002) argues that the African concept of the individual is radically different from the liberal concept of individual. Using an example of a Swahili word *mtu* (man, woman or person) related to *ntu*, a root, which means humanness – and losing humanness means that someone abuses or mistreats other community members – Mutua argues against the concept of 'Western' individualism. Yet does advocating human rights mean protection of those abusive individuals? 'Human' means 'homo'/man and relates to 'humus'/earth or earthly beings, kind, suffix of 'humankind', means kin, family, 'with the feeling of relatives for each other' (see The Oxford Dictionary of English Etymology 1996). The prevalence of violent conflicts, murder and rape are not a peculiar feature of Western societies, and are often understood as having more to do with socio-economic and political circumstances, than with the particular dimension of liberal-community.

The cultural relativism of Herskovits and others in the Boasian anthropological tradition argued against the universalism of human rights as the ethnocentric extension of absolutist Western values. Herskovits (1972) asserted respect for cultural differences. However, many point out that this view can be also criticised for its 'cultural absolutism' (Howard, 1993; 1995), which sees culture and society as self-contained and unchanging. Instead, culture and society consist of porous boundaries and various interrelated institutions (individual, family, community up to international level) (Parekh, 1999: 134). Conversely, any country, polity or legal system does not consist of a single culture or consensus (Chanock, 2002: 41).

Donnelly (2007: 18) points out that this moral relativism implicated in the formulation of the cultural relativism assumes the impossibility of moral learning or adaptation except within (closed) cultures. Moreover, making claims to cultural rights often requires cultures to be fixed and essentialised, whereas culture is to be understood as a dynamic process (Merry, 2001: 41) that forms a 'network of perspectives' (Hannerz, 1992: 266). As an alternative to cultural relativism, there are some who support the need for cultural pluralism, which is understood as a position that respects cultural

differences, while not rejecting the possibilities for reaching a consensus that holds independently of its context (see Freeman, 1997).

However, this should not mean that hegemonic morality is always right (Parekh, 1999). This is the sort of standpoint that sheds light on some abusive practices such as corporal punishment of wives (abolished at the end of nineteenth century in most European countries), which is now being considered immoral and made unlawful in African countries. If people were uncritical about their own culture, as cultural relativism assumes, these changes would have never happened. Moreover, many writers argue that the essentialisation of cultures often depends on the power of elites to create cultures (e.g. An-Na'im and Deng, 1990; Chanock, 2002). It understates the productive power of each actor, who is capable of acting as an agent, and can overlook the interests of oppressed groups.

### **2.5.2 Culture and agency thesis**

Implicit in the discussion of cultural relativism is the passive role each actor plays in society. The structural functionalism of Parsons (1951) approaches the social world in which individuals are slotted into and function within fixed social roles. Individuals inherit and conform, but they are not seen as acting agents. They are objects, but not subjects. Therefore Parsonian cultural relativists are also criticised for failing to account for individuals' agency, their lives outside defined cultural boundaries and their ability to challenge social norms. Cultural relativists argue that all knowledge is mediated through particular cultural structures and norms. Therefore, failure to conform is regarded as deviance, which creates social problems, instead of being potentially productive agency. However, some anthropologists argued that knowledge is mediated in many forms including the agency of individuals (e.g. Marcus and Fischer, 1999). Positive cultural change has been reviewed, for example, in relation to female circumcision in Africa (Hernlund and Shell-Duncan, 2007; Shell-Duncan and Hernlund, 2000).

Such examples challenge cultural relativists' arguments about non-Western reciprocity and responsibility, which include writers such as Leary (1990: 16) contending that many (non-Western) cultures 'value a sense of community and stress

duties to family and community'. The African Charter on Human and People's Rights (1986) codifies so-called closely interdependent three-generation rights and duties. Mutua (2002: 73) thus argues that the Western language of rights as entitlements seeks an individual remedy for a wrong, whereas the 'African language of duty...offers a different meaning for individual/state-society relations' that seeks to 'balance the competing claims of the individual and the society'. However, such morality based on 'Western-African' cultural boundaries and dichotomies is often criticised.

Firstly, rights holders everywhere are not isolated individuals, but are interdependent individuals or members of groups (such as children and parents), although they can make legal individual claims, for example, if someone is injured and seeks compensation. Secondly, individuals mediate knowledge and experience through layers of identities (such as one person being a member of an ethnic group, a daughter, a wife, a mother, a teacher, an Evangelical Christian and an active feminist) that potentially complement and conflict with each other. Thirdly, it is generally understood that responsibilities and duties can only rest on individuals (or on a group of individuals) who are 'capable' agents.

### **2.5.3 'Western' and 'non-western' culture thesis**

As mentioned above, one characteristic of human rights claims is to seek to challenge or change existing institutions, practices, or norms, particularly legal practices so that the moral vision (a particular understanding of the meaning of equal concern and respect) will be realised (Donnelly, 2003a: 25; Donnelly, 2003b: 38). However, cultural relativists often argue that human rights are traditionally associated with liberalism, which reflects the West's self-centred individualism with a disproportionate focus on individual autonomy, and which undermines 'non-Western' values, and imposes Western norms on non-Western societies (Mutua, 2002), although Mutua shows his respect for the goals and ideals of the human rights movement. Many writers, including sociologists and political scientists, disagree, and contend that rights do not undermine social harmony and are compatible with a communitarian ethic (Howard, 1990: 162-163; 1995: 97).

The ACRWC (OAU/AU, 1990) Article 31, for example, specifies Responsibility of the Child, in which the child has the duty 'to respect his parents, superiors and elders' (Article 31 (a)). However, the duty to respect does not mean blind obedience (Van Buren, 1995), and 'the cohesion of the family' (ACRWC, 1990: Article 31 (a)) need not be breached by the language of rights (for discussion of children's rights and children's duties see Bainham, 1998). Local cultures need not be stigmatised nor do the individuals within rights cultures have to be victimised and dehumanised as Mutua (2002) contends. Donnelly (1990; 2003a: 21; 2003b: 25) states that individual rights are a social practice, because human rights are embedded in a social context (also see Howard, 1990: 173-4; Mutua, 2002: 68; compare with Pollis, 1982). This can be summed up by Dewey (1963: 41):

...[L]iberalism that takes its profession of the importance of individuality with sincerity must be deeply concerned about the structure of human association. For the latter operates to affect negatively and positively, the development of individuals.

Howard (1990; 162-6; 1995: 66) argues that psychological modernisation in Africa as well as structural change towards large-scale state arenas do not support traditional communalism, which is itself often a version of the "myth of Merrie Africa" (cited by John Iliffe in Howard, 1990) created by the more powerful groups in African societies (also see Chanock, 2002). However, as Mutua (2002: 78) states, modernisation need not invalidate communitarian values or small-scale communalism, and individualism always supposes a society (and not just a community) of interdependent individuals.

Critics of cultural relativism reject dichotomies of individual versus collective rights, and 'Western' versus 'non-Western'. Although collectivists argue that group rights cannot be analysed as sets of individual rights, they recognise some claims of group rights, and Conventions such as UNCRC as complex sets of individual rights. Some argue that the UNCRC imposes a Western view of childhood as well as of human rights (see e.g. UNHCHR, 2007a: 178 on the comment by a Senegalese delegation), despite UNCRC's flexibility and many references to respect for cultural diversity. For example, Leary (1990) is concerned that human rights is a form of neo-colonialism (this theme is not explored in this thesis see 6.6. For post-colonial criticism see e.g. Gruffydd-Jones, 2003b; Said, 1978).



Many emphasise that sensitivity to culture must inform human rights (e.g. An-Na'im, 1992; Booth, 1999: 51). Chanock recognises that cultural relativism can also serve to encourage respect and unite between an otherwise sharply divided society, which may or may not consist of communities and individuals with different values (2002: 45). The UN Conventions are both principled and flexible, and they do not impose one interpretation and its implementation upon all nations irrespective of its context. The basic principles underlying human rights of respect, justice, avoiding harm to others and promoting their well-being, are often cited in other versions of morality and in many if not all cultures and religions (see e.g. Khan, 1995; Pollis and Schwab, 1980). Thus to call these values 'Western' is not respectful to 'non-Western' peoples.

Possibly every nation has difficulty with equal respect for everyone regardless of status (Booth, 1999: 39; Howard, 1990; Stephens, 1995: 3; Tibi, 1990), and few nations accept that protection of children always means the protection of the child's bodily integrity and prohibition of physical punishment. Individuality assumed within the structure of human association can operate negatively and positively. Human rights are the means to help to protect human dignity and to prevent suffering. Rights are then not 'walls between individuals' but they help with 'facilitating human relations within a community' (Bilsky, 1998: 149).

The individual rights framework is compatible with all rights including economic, social and cultural rights, and it recognises that human identity is shaped by many factors including race, gender and age, which can be grounds for unfair discrimination. Therefore, Dewey (1963: 48) recognised that:

...The direct impact of liberty always has to do with some class or group that is suffering in some special way from some form of constraint exercised by the distribution of powers that exists in contemporary society.

## **2.6 Summary: the key themes to develop**

This chapter has reviewed concepts of human rights and culture and located the resistance to the implementation of international human rights laws including the UNCRC (UN, 1989) at multiple levels within philosophy and sociology. It has showed

how some conceptions, such as rationality and autonomy, have been attached to human rights and have commonly implied a particular personhood, which has excluded some members of society over the centuries. Proponents of children's rights claim that children are the most excluded group, and have advanced new views of childhood, and of the worth and dignity, and possible autonomy of the child.

The UN's international human rights law has developed out of such exclusions, to promote through universal yet flexible means human rights' indivisible and interdependent foundational principles such as respect, justice and equality. The view of natural human rights as an entitlement ascribes the 'real possibilities' of human beings by endorsing 'the inherent dignity and the equal and inalienable rights of all members of the human family' (UNCRC, 1989: Preamble), while aspects of the human rights laws as legal human rights can be practical tools to protect and promote actual rights, although within changing and different contexts and cultures.

However it is pointed out that the exclusion of many, often associated with autonomous rational man as the ideal rights holder, continues to influence the way we understand human nature (for feminist critiques see e.g. Brems, 1997; Higgins, 1996). Thus although the UNCRC (UN, 1989) influences many policies and programmes at international, regional, national, and local levels, through a comprehensive set of values that resonates with the principles of human rights, gaps between children's rights principles and practices remain in all countries.

Through the review of debates between cultural relativists and their critics this chapter raised questions regarding the fixed or fluid nature of local cultures, and the allegations of imposed 'Western' values, the division between individualism and communalism, and division between agency and structure. Analyses of the themes identified are necessary to critically engage with the UNCRC as the ways forward to address social injustices. How can international and even national law have power to alter local practices in schools? Later chapters will explore these themes.

## Chapter 3 Childhood

### 3.1 Introduction

The growth of childhood studies<sup>16</sup> over the last two decades or so points to the importance of childhood as a conceptual category and to the social position of children for the study of a previously overlooked or marginalised group (James, Jenks and Prout, 1998; Kehily, 2004; Prout and James, 1990). As a discipline interested in the idea of 'social structures', which appear to members of societies as 'facts' with some real and describable characteristics, the sociology of childhood informs the understandings of childhood and of the UNCRC (1989) together with other disciplines such as philosophy, psychology, history, and anthropology. Childhood as a concept supposes adulthood, and being a child is the opposite of being an adult, and vice versa (Archard, 1993: 23). It is the very concept of childhood that presents the problems, because it requires some set of attributes that distinguish children from adults – a conception of childhood. Thus our specific conceptions of childhood determine how childhood is judged against adulthood (Archard 1993: 22) (Archard reifies these differences in his discussion of childhood).

These attributes relate to questions such as: How old is a child? Do the children come from Europe, Africa, or Asia, or from rural or urban area? Are they wealthy or poor? There are also some questions that relate to theories of the individual: Is the child innocent or evil? Or is it better to specify conceptions in such a way that leads to the timelessness and universality of childhood, which presents children from 'a mythical past and a magical present' (James and Prout, 1990: 229)? How does our understanding of childhood relate to the 'crisis' of childhood much discussed in the 1990s (e.g. Scraton, 1997)? How do children differ from adults? Are there any separate qualities? Considering reasons for these concerns helps us to understand why it took a decade for the delegations and representatives from mostly the minority world and some of the majority world to draft the UNCRC (for a detailed record of legislative history of the CRC see UNHCHR 2007a; 2007b; also see Archard, 1993; Donnelly, 2006; Van Bueren, 1995).

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<sup>16</sup> Within the field of childhood studies, there are studies associated with infancy and adolescence, which are largely influenced by the child development approach (see e.g. Smith and Hart, 2002. Also see Sections 3.2, 6.6, 7.2.3, 8.2.5).

This chapter first introduces the positivist approach (see Section 5.2) to childhood, which often includes the conceptions of childhood based on child development and socialisation theories. It is followed by a review of what can be broadly called an Interpretive approach to childhood in sociology and anthropology. The final part of this chapter lists the gaps in regard to the epistemology and ontology of childhood that can be more appropriately analysed using the critical realist approach, which will be considered in Chapters 5-9.

### **3.2 Child development and socialisation: positivism**

The dominant concept of childhood can be summarised as an 'extended stage before and below adulthood' (Archard, 1993: 30). The defining characteristics of adulthood and childhood were as a rule oppositional (James *et al*, 1998: 4). In sociology, childhood experience was related to the theories of socialisation in a variety of forms in institutional contexts such as the family, the peer group or the school (Jenks, 2004: 85). The traditional theory of socialisation influenced by Talcott Parsons (1951; also see Durkheim [1938], who referred to socialisation as the social forces that drew people together in a society) was a sociological version of the work of Jean Piaget (1977) on the child's psychological development. In general, developmental psychology focused on the individual child as an apprentice for adulthood embarking upon a path to rational subjectivity (Burman, 1994; Kehily, 2004; Prout and James, 1997; see e.g. Frønes, 1995 for more critique).

Influenced by Piaget's and Dewey's writings, Kohlberg's (Kohlberg, Levine and Hower, 1983) cognitive moral development theory argued that, essentially, the younger the child, the less capable 'he' was of reasoning logically, because the moral development of a human passes through invariant (and hence linear) developmental stages. In other words, Kohlberg's theory suggested that adults, and especially intellectual men, are rational and capable of logical thinking, whereas children are not. Any individual (in the cognitive equivalent of bodily development) is seen as going through a number of phases, each of which carries certain psychological and personality traits whereby childhood is equated with incompetence and hence chronological age has been linked to the social distribution of dignity and respect. This focus on development rests upon

the biological immaturity of the child, and hence the child's dependence and accompanying 'needs'. This understanding of childhood therefore also emphasises powerlessness and inferiority relative to adulthood.

As a feminist writer, Carol Gilligan in her influential work *In A Different Voice* (1993) argues that the dominant moral development theories and practices ignore or devalue the ideas culturally associated with women. Gilligan (1993) challenges Kohlberg's six-stage moral development process for excluding women from completing the supposedly universal scheme and hence concluding that they are morally inferior. Gilligan instead emphasises the different moral dispositions that can be commonly (but not exclusively) associated with women and girls. Although this position also raised much debate, it suffices to mention here this tendency in socialisation and moral development theories to rely on (mis)conceptions that define adults as wholly 'rational and competent', while children are defined as 'emotional and incompetent' and hence inferior to adults (Gesell, 1925). Though developmental psychology has become more contextualised and less universalistic (e.g. Burman, 1997; Cole, 1996; Rogoff, 2003; Woodhead, 1996; Woodhead, Faulkner and Littleton, 1999), its focus is still on the child as a becoming, and it remains rather apolitical (Mayall, 2002: 22). The 'universality' of 'naturalness' and 'incompetence' has thus conceptualised childhood in terms of chronological age and developmental stages and milestones. The process of instilling the rules of society (i.e. 'transmission of culture from one generation to another') into a potential participant was used as a means of sociological accounts of childhood in the form of theories of socialisation. However, as La Fontaine (1978) and Nieuwenhuys (Nieuwenhuys, 2004: 24) note, such cross-cultural age delineation can hardly be said to exist, children and their competencies vary too much between cultures.

As noted in the previous chapter, socialisation was the system, in which social roles came to be replicated in following generations, in which children were seen as raw materials (*tabula rasa* discourse which draws upon the philosophy of John Locke) or investment objects, properties of parents (derived from Aristotelian view) or of the state (Plato), which are not part of the organised society of adulthood (Prout and

James, 1997: 18; Qvortrup, 1985: 131). Children are therefore passive (versus active) representations of the future generation (versus the present of childhood and versus the society of the 'present' generation - adults), who are transformed from immature, irrational and asocial beings into mature, rational and social adults through the socialisation process (Prout and James, 1997: 13).

Holt (1975: 26-27) states, such images of childhood (in most 'Western' countries at least) can be summarised as: 'a kind of walled garden in which children, being small and weak, are protected from the harshness of the world outside until they become strong and clever enough to cope with it.' Most studies of childhood focused on the measurement, validation and causal explanations of children's behaviour as social objects, who are becoming. Such positivist approaches often focus on outcomes measured against supposed 'normality' that is adulthood, and do not acknowledge the change and conflict, which are seen as permanent aspects of social world by the Interpretivists. This attitude towards childhood was accepted without many questions until the late 1970s, when positivism came under attack in social science. Notably, the model of childhood offered was of 'disrupting deviance' (Elkin, 1960), which should be monitored, controlled and punished. '[C]hildren are made to conform, in cases of successful socialisation or to they become deviants in cases of failed socialisation' (Schildkrout, 1978: 110), because the classical socialisation theory mainly offered the approaches concerned with the reproduction of social order while neglecting the very process of socialisation (Corsaro, 2005: 7-10; Prout and James, 1997: 13-14).

### **3.3 The sociology and anthropology of childhood: Interpretivism**

This section reviews the development of sociological and anthropological approaches to childhood, which began with the increasing popularity of Interpretive sociology since the 1970s, which also followed the work of Phillip Aries, *Centuries of Childhood* (1962). This is considered to be one of the major works on the history of conceptions of childhood along with other works (e.g. Mead, 1978; Zelizer, 1985). He contended that the concept of childhood emerged in Europe between the fifteenth and the eighteenth centuries. Critics of Aries such as Pollock (1983) and Archard (1993) challenged his arguments that past societies regarded children in such a radically different way from Western society today to the extent of not recognising childhood.

Aries only chose to find the attributes of children that were particular to the modern western conception of children (Archard, 1993: 23). Moreover, there has been much debate as to the reliability of his methodology. Nevertheless, many point out that Aries' thesis contributed to the understandings of the concept of childhood as social construction rather than merely reducing childhood to naturalism with biological attributes (e.g. Prout and James, 1997: 16-17). The structural functionalism associated with the moral development theories thus became under attack during the 1950s and 1960s from Interpretive sociologists, and that paved the way to a new perspective, which views children as social actors (Prout and James, 1990: 15).

The Interpretive approaches try to deconstruct the dominant concept of childhood derived from the aforementioned positivistic views. Jenks (1996: 121-122) states that sociological and anthropological studies 'sharpened a theoretical focus on the plurality of childhoods, a plurality evidenced not only cross-culturally but also within cultures...the experience of childhood is fragmented and stratified, by class, age, gender and ethnicity, by urban or rural locations and by particularised identities cast for children...'. The Interpretive concept of childhood is inherently unstable, culturally and historically specific, and not fundamentally 'natural' and hence 'universal'. James and Prout (1990) argue that this perspective points out that social shaping of both biology and 'development' can occur in a variety of ways, while not denying the child's biological basis, nor the theories of socialisation. This approach also emphasises childhood understood as being rather than becoming (James *et al*, 1998: 207). Interpretivists argue that unfixed social reality is continuously rendered and created by the activities of social actors including children (more on methodological approach of Interpretivism in Chapter 5). They criticise 'an over-socialised conception of man' of the socialisation approach (Prout and James, 1990: 14-15). This view emphasises the creative production of social life rather than the determination of social behaviour by systems of social organisation (Prout and James, 1990: 27). This sociological approach then leads to four models (or analytical tools) of children as social actors, who concern past and future as well as present, from which we can anticipate four sociological dichotomies: structure and agency; identity and difference (self and the other); continuity and change; and global and local (James *et al*, 1998;

Jenks, 2004). These models are, following James and colleagues (1998: 4): the socially constructed child; the social structural child; the tribal child; and the minority group child.

### **3.3.1 Socially constructed child**

The socially constructed child model rejects the structural functionalists' idea that individuals are slotted into a finite number of social roles, and thus it re-works the currently dominant concept of childhood and formulates childhood as a concept (James *et al*, 1998). It is concerned with the ways in which children are represented, situated and understood in a particular society (by adults) as children, and with how the universality of childhood derives from biological immaturity rather than the institutions of childhood, because the ways in which 'children' are represented vary across cultures and time (*ibid.*). From this perspective, children are socialised (although not entirely passively) by belonging to a particular culture at a certain stage in their history (Prout and James, 1990: 15). Prout and James (1990; 1997) therefore point out that the common sense naturalism and universalism of childhood tend to mask the child's cultural, social and historical particularity and differences. They also suggest that these cultural differences amount to differential presentation of concepts of childhood, which are genuinely assumed to be factual in their own time and place reflecting different discursive practices (Prout and James, 1990: 27; 1997: 23).

For example, Archard (1993) shows the way in which contemporary British society regards children as a separate and subordinate social group by representing childhood based on a 'deficit model'. This social constructionist approach has re-worked the dominant conceptions of childhood, changing what is seen to be 'natural' and inevitable to children into contingent, contextual, socially constructed phenomena. For example, writing on the development of policy in England since 1870, Hendrick (1994; 2003) identifies the bodies/minds, victims/threats and normal/abnormal dualisms around the concept of childhood, and how these dualisms influenced policy development in England, which did not always benefit children. He thus points out the problems in defining children and childhood in adult terms, treating children only as objects.



The socially constructed approach seems to be very closely related to that of cultural relativism and thus it could be used to support ethnocentrism. Moreover, James and colleagues (1998: 28-29) point out that it also runs the risk of discarding the biological basis of the child through its focus on the conceptually constituted aspect of childhood.

### **3.3.2 Social structural child**

This position is also concerned with the structural aspect. Concepts of the social structural child begin from recognition that children are a constant feature of all social worlds (Qvortrup, 1990). It is argued that children are integrated in society, taking part in socially necessary activities, contributing towards the accumulation of knowledge and labour power to be used in society, and actively contributing towards historical development. Yet, Qvortrup (1990) continues that this has been seldom recognised in adult-oriented and time-bound societies. He claims that instead of being outside the organised society, children have always been active agents, acting within and upon the constraints and possibilities that institutional levels create. This position then examines necessary and sufficient conditions that apply to childhood within a particular society or to children in general (James *et al*, 1998: 32).

Childhood is seen as a universal category that emerges from the constraints that the particular social structure exerts - mainly in relations between childhood and adulthood. Children then are a body of subjects. Childhood reflects the universal institutional structure of societies in general and is not simply subject to the changing nature of discourses about children or the radical contingencies of the historical process, thus their subjectivity is unconscious but consistent (James *et al*, 1998: 33). Childhood is an enduring though changing feature of the social structure of any society (James *et al*, 1998: 210). Thus children are not incomplete; they form a group with needs and rights as citizens. In short, children have been both subject and object of the societal institution they are part of. This approach emphasises the importance of understanding the activities children perform through childhood as a social institution, which exists beyond the activity of any particular child or adult (Qvortrup *et al*, 1994).

However, Boyden and colleagues (1998), based on anthropological studies, argue that this approach imposes a universal view of childhood that enforces a particular universalising rhetoric regarding the rights of the child. Therefore, they (1998) argue that this model needs to recognise the importance the particular embeddedness of the childhood has for children's daily lives in different societies.

### **3.3.3 Tribal child**

The third model, the tribal child, suggests that children's social action is structured, but within a system that is unfamiliar to us the adults and therefore 'children's childhoods' (Mayall, 1994) need to be understood (compare with MacKay, 1973; Rafky, 1973). The tribal child is seen as voluntaristic, exercising a sense of self-determinacy and is particular to different spaces and times (James *et al*, 1998: 216). It is argued that children have their own rules and practices of doing things and children inhabit their own social worlds separate from adult worlds (Mayall, 1994). This model links more strongly with the socially constructed child model.

The tribal child model can be overly (interactionist and) phenomenological, and can underestimate the need to account for the ontological features of childhood, which will be discussed in later chapters. Although it is important to understand the perspectives of children, the separateness from the adult world can overlook the more structural aspects of children's lives, and simplifies their experiences (Alanen and Mayall, 2001).

### **3.3.4 Minority group child**

Similarly, the minority group child model emphasises the importance of children as subjects. However, its focus is not on the separateness of the childhood, but the ways in which children inhabit adult worlds. Therefore, it highlights the children's relationship with adults (e.g. Solberg, 1997). The minority group child (which may have the ability to oppose the tyranny of the majority, the adults) can be seen as a politicised version of the social structural child, 'whose wrongs need righting' (James *et al*, 1998: 210; Mayall, 2002: 9). It politicises childhood within unequal and structurally discriminatory society, and seeks to challenge the existing set of power

relations between adults and children (James *et al*, 1998: 30, 210-211; Jenks, 2004: 92).

Thus this model claims that it is a sociology for children, and they are seen as active actors, who have 'ability to transform themselves' (Mayall, 1999: 10) and are 'essentially indistinguishable from adults' (James *et al*, 1998: 31). This approach conceives the children's marginalised experience as global albeit to different degrees. This position can be useful, for example, in analysis of needs and rights as enshrined in the UNCRC, particularly when the 'best interests of the child' are susceptible to the dominant paternalistic ideologies, as the 'normality' of the society could override the child's own interests (Freeman, 1996: 47; also see Thomas, 2005). The minority child perspective would argue that the majority would seek to correct any wrongs to the minority by restoring normality, 'through (children's) submission to socialisation' (Mayall, 1999: 10) in the name of their welfare, and not through reforming social order and justice.

Yet social constructionists such as James and colleagues (1998: 212) argue that the minority group child model may impose a politicised (or essentialised) uniformity that defies the difference within. They consider that 'a group needs to become for-itself rather than in-itself, through continuity rather than adaptability to change' (James *et al*, 1998: 212). Thus essentialisation of childhood needs to be avoided, and the diversity of childhoods recognised. As Jenks (2004: 90; also see Prout and James, 1997: 25-6) acknowledge, these approaches run the risk of leading the analysis to the other side of the aforementioned dualities by their focus on the epistemology of childhood, whereas positivism often emphasised ontology based on undifferentiated notions of reality. These overlapping and complementary sociological and anthropological approaches to childhood highlight key concepts such as, generational space (e.g. Mayall, 2002) and the agency of the child (e.g. James *et al*, 1998).

### **3.4 Summary: the key questions raised in these theoretical contexts**

There are mainly three issues arising from the positivist approach childhood commonly based on child development (psychology) and socialisation theories in relation to ethics and corporal punishment. Firstly, positivism correlates chronological

age with maturity and/or competence. According to Rich (2005), this association often helps to justify the corporal punishment of children when violence is seen as more effective than attempts to reason with 'pre-rational' children. The second issue of the psychological developmental model of childhood arises from its focus on mind thereby separating the mind and body, with the risk of denigrating the body. Thirdly, this approach seems to impose heavy responsibility on the part of children to obey and comply, while ignoring their agency as beings capable of being responsible. In addition as Handel and colleagues (2007: 9) note, such functionalist approaches are unlikely to give critical accounts of what exists or happens.

The positivists' inability to account for processes of socialisation came under attack by the Interpretivist approaches to childhood that offered the above four models of the child. The models continue to contribute to the reworking of the concept of childhood(s) with emphasis on greater respect to children. The Interpretive approach emphasises the present of children as beings and positively recognises their agency. The models indicate that the Interpretive approaches are often concerned with, for example, historical (e.g. deMause, 1976; Gillis, 2009; Hendrick, 2003), political (or citizenship), cultural and economic, and/or globalised (e.g. Boyden, 1997; Ennew, 1986; Wells, 2009) research.

I would like to note that these studies are often discussed in relation to the UNCRC, through which the focus on children's decontextualised 'needs' has been reattended to (see e.g. Thomas, 2005, who argues that rights and needs are not necessarily competing nor mutually exclusive concepts; Wells, 2009; Chapter 2). It also sheds light on the problem of power, which is most explicitly addressed in relation to research practices, and children's participation rights in decision makings (e.g. Aikman, 2010; Harber, 2010; Morrow and Richards, 1996). The sociological and anthropological approaches to childhood often criticise views that see the biological development of the child as inevitable and natural biological fact. However, they do not seem to be free from the sociological dichotomies of structure-agency; continuity-change; identity-difference (the self and the other); and global and local.

On the one hand, positivistic approaches to childhood seem to ignore the flexibility and openness and complex reflective epistemology of our lives. The Interpretive approaches on the other hand, appear to lack explicit real ontological basis. How do these methodological approaches and the explanations or understandings stemming from these two main approaches help or undermine the understandings and explanations of children's experiences? Do they help to justify or reject the corporal punishment of children? How do they affect the law, policies, people, and practices? The review of the two approaches left my questions, about how children's embodied experiences of the presence or the lack of human rights can be accounted for, unanswered. I will consider how critical realism overcomes the positivist inattention to epistemology and also the Interpretivist inattention to reality and ontology in Chapter 5, and in the later analysis. Before then, the following chapter shifts the focus to theories of punishment in order to examine the widely accepted corporal punishment of children (across countries and histories).

## **Chapter 4 Punishment: philosophy and sociology**

### **4.1 Introduction**

The release of the Lockerbie bomber from the Scottish prison on compassionate grounds was granted in August 2009 (BBC, 2009b; CNN, 2009; The Guardian, 2009; The Independent, 2009). The majority of media depictions of public views around the release appeared to be appealing to the sense of justice that springs from a notion of punishment as the 'retributive' (or in some views as 'deserved') approach. In addition to this view, many people support other goals of punishment such as reform and deterrence (Gromet and Darley, 2009). Recent literatures also suggest that the public (especially in the Scandinavian countries) favour restorative (or less punitive) justice, particularly for young and non-violent offenders, and this is, despite with much criticism, gaining increasing support in the UK in the past few years much promoted by the government (Roberts and Hough, 2002: 6). What these examples show is that these widespread utilitarian and retributive or deontological approaches to punishment that are sometimes supported by 'scientific' (hard) evidence or else by what is believed to be 'natural' and 'just' principles by the majority of lay people, do not always square with social realities and that they cannot escape criticisms over time, particularly because punishment is an inherently emotive issue (see e.g. Duff and Garland, 1994; Garland, 1990b; Roberts and Hough, 2002).

The first section of this chapter considers the seeming difference between corporal punishment of children and of adults. It aims to illustrate the principles in the UNCRC (UN, 1989), and other international, regional and national law concerning corporal punishment with special attention to children. This is then followed by arguments based on biological and psychological evidence regarding the nature of corporal punishment. The arguments are often used either in support of or against the three main debates about punishment: cost or harm versus benefit; duty; and paternalist approaches to punishment. I understand that these ethical justifications of punishment that inform our perceptions and actions focus more on personal choice. This chapter will then shift the focus to more sociological views in order to ground the analysis of punishment in more relational terms. It will thus consider the perspectives of Durkheim and Foucault who have analysed punishment from different

perspectives. The last section ends with the themes that have emerged from this chapter's analysis of punishment from legal, psychological, philosophical and sociological perspectives.

## **4.2 Corporal punishment of adults and children**

Chapter 2 noted that the UNCRC encompasses the comprehensive set of rights regarding civil, political, economic, social and cultural rights. The UN General Assembly (resolution 44/25. 1989) recognised that 'children's rights require special protection and call for continuous improvement of the situation of children all over the world as well as for their development and education in conditions of peace and security.' Most centrally, the right of the child under UNCRC Article 19 and Article 32 provides the right to be protected from 'all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, inhuman and degrading treatment; and the right to be protected from economic exploitation' and from performing hazardous work accordingly. Adults are not legally permitted to smack the other adult. However, if the intention is for the 'good' of children, the rights to be protected from unwanted smacking and other forms of assault are not provided for children by most legislation in different cultures. The right against hitting is guaranteed to all citizens except children in most cultures.

The still dominant discourse argues that children are to be nurtured and protected (versus their self-determination being respected) as particularly vulnerable and that they play a passive role in a society as the raw materials (versus being moral agents) and as objects (versus subjects) of the adult world. These arguments are commonly used to justify corporal punishment of children. Corporal punishment has a long history cross-culturally. It had been commonly practised in homes, schools and other institutions, particularly in judicial systems. Since the nineteenth century, in Europe and North America at first and then in other parts of the world, corporal punishment (of adults) has been banned for women (in almost all countries), slaves, soldiers and sailors and then criminals (those countries with judicial corporal punishment are mainly some former British territories – including the mainland Tanzania – and some countries with Sharia law). However, as noted above, physical punishment of children remains legally and morally acceptable to many people in most parts of the world.

The morality of hitting children calls for much greater debates than that for adults. A brief Google search for 'corporal punishment' and 'adult' led me to numerous hits that position adults as the punisher and the child as the punished, but not vice versa (see Hatchard, 1991; 1992 for case notes of punishment for adults, juvenile offenders, and in schools in Zimbabwe and Namibia).

Opponents of children's rights often cite their concerns about the parent-child relationship, the autonomy of the sovereign states and that of families, financial pressures on stressed adults, and traditional values of the said culture (e.g. BBC, 2000; Ellison and Sherkat, 1993; and Woolcok, 2008 report the views that support corporal punishment; Baumrind, 1996; and Wilson, 2002 support corporal punishment in certain circumstances). Within this context, as Payet and Franchi (2008) describe, even those who are generally in favour of children's rights sometimes accept corporal punishment of children. Many report that what can be regarded as abuse if it is administered to an adult, can be accepted as an act of discipline, if it is for a child (e.g. Lansdown, 2000). Many of these writers, who support children's rights, argue that all forms of corporal punishment should be regarded as abuse, and be made unlawful (e.g. Hodgkin and Newell, 2007: Chapter 19; Newell, 1979; 1989; 2002; 2008).

#### **4.2.1 Definitions of corporal punishment of children**

Straus and Donnelly (2005: 3) define corporal punishment as follows:

the use of physical force with the intention of causing a child to experience pain but not injury, for the purpose of correcting or controlling the child's behaviour.

For many, 'the pain but not injury' makes a distinction between abuse and corporal punishment. They are also thought to differ when punishment aims to correct or control the behaviour and 'rule-breaking' of the punished person – the child. As Straus and Donnelly (2005: 3) state, corporal punishment is often distinguished from other acts that cause pain as a form of 'socially acceptable and legal (in many countries)' assault that intends to correct or control the behaviour through pain. Punishment is supposed to exclude the causing of severe pain and smacking out of anger. Thus persons who approve of its use emphasise moral and educational reasons for the punishment, rather than moral reasons not to cause pain (*ibid.*), using



arguments about training, correction and accepted methods of bringing up children, that are rarely if ever applied to adults.

There are several justifications for this belief in natural and sometimes 'scientific' or morally just aspects of parenting or of achieving behavioural change, which typically draw on the above mentioned theories of child development and socialisation.

However, as it has been shown in Chapter 2, the UNCRC draws on more comprehensive perspectives about childhood, which inform its position about the corporal punishment of children.

#### **4.2.2 The UN interpretation of the UNCRC**

Although UNCRC does not explicitly veto corporal punishment, UN Committee defines 'inhuman and degrading treatment' as including all physical punishments, and vetoes corporal punishment in its responses to the regular government reports, its General Discussion on Children's Rights in the Family (UN, 1994) and General Comment No.8 (UN, 2006b) on the right to protection from corporal punishment and other cruel or degrading forms of punishment (based on UNCRC Articles 19; 28, para. 2, and 37, *inter alia*). The UN Committee aims 'to highlight the obligation of all States parties to move quickly to prohibit and eliminate all corporal punishment and all other cruel or degrading forms of punishment of children and to outline the legislative and other awareness-raising and educational measures that States must take' (UN, 2006b, para. 2). As well as being an obligation of States parties under the UNCRC, addressing and eliminating corporal punishment of children is 'a key strategy for reducing and preventing all forms of violence in societies' (UN, 2006b: para. 3).

The Committee on the Rights of the Child defines:

'corporal' or 'physical' punishment as any punishment in which physical force is used and intended to cause some degree of pain or discomfort, *however light* [italics added]. Most involves hitting ('smacking', 'slapping', 'spanking') children, with the hand or with an implement – whip, stick, belt, shoe, wooden spoon, etc. But it can also involve, for example, kicking, shaking or throwing children, scratching, pinching, burning, scalding or forced ingestion [for example, washing children's mouths out with soap or forcing them to swallow hot spices]. In the view of the Committee, corporal punishment is *invariably* [italics added] degrading. In addition, there are other *non-physical* [italics added] forms of punishment which are also cruel and degrading and thus incompatible with the Convention. These

include, for example, punishment, which belittles, humiliates, denigrates, scapegoats, threatens, scares or ridicules the child (UN, 2006b: para. 11).

At first glance, this definition seems to suggest, in line with the definition used in Straus and Donnelly (2005), that there is a form of corporal punishment that does not cause pain or discomfort (End All Corporal Punishment of Children, 2009). However, as the following sentence makes it clear, the Committee recognises that all physical punishments invariably cause physical and/or mental pain or discomfort and are thus degrading.

...There is no ambiguity: 'all forms of physical or mental violence' does not leave room for any level of legalised violence against children. Corporal punishment and other cruel or degrading forms of punishment are forms of violence and the State must take all appropriate legislative, administrative, social and educational measures to eliminate them. (UN, 2006b: para. 18)

Furthermore, the Committee makes distinction between physical and non-physical punishment (nonetheless violent) as forms of cruel and degrading treatment, versus non-violent discipline of children in the form of 'necessary guidance and direction' (UN, 2006b: para. 13). The Committee rejects the former, but regards the latter as essential for the healthy development of children (*Ibid.*). This suggests that there is a form of non-violent discipline that does not involve either physical or non-physical acts that are most often regarded as unacceptable for 'adults', because they are regarded as degrading.

The Committee also differentiates between deliberate and punitive physical actions against children and physical interventions to protect children from harm (UN, 2006b: para. 14). For example, taking away a baseball bat from a child, who did not finish the household chores because of coming back home late from practising baseball, is a punitive action. However, taking away the bat so that the child does not get injured can be generally considered a non-punitive intervention to protect the child (although this can also be considered a punitive act in certain contexts). However, it is not always easy to differentiate the reasons and intentions behind adults' actions.

The Committee, which monitors implementation by states of the UNCRC, has consistently rejected the use of physical punishment. In the year proclaimed as the

International Year of the Family, the Committee made its first remark on corporal punishment:

As for corporal punishment, few countries have clear laws on this question. Certain States have tried to distinguish between the correction of children and excessive violence. In reality the dividing line between the two is artificial. It is very easy to pass from one stage to the other. It is also a question of principle. If it is not permissible to beat an adult, why should it be permissible to do so to a child? One of the contributions of the Convention is to call attention to the contradictions in our attitudes and cultures (UN, 1994: para. 47 as quoted in Hodgkin and Newell, 2002: 267).

However, the Committee acknowledged that there was a long way to go in order to achieve its goals, and noted:

...the Convention, like all human rights instruments, must be regarded as a living instrument, whose interpretation develops over time. In the 17 years since the Convention was adopted, the prevalence of corporal punishment of children in their homes, schools and other institutions has become more visible, through the reporting process under the Convention and through research and advocacy by, among others, national human rights institutions and non-governmental organisations (NGOs) (UN, 2006b: para. 20).

The Committee was critical of the still pervasive views that corporal punishment is normal disciplinary practice, that certain forms of violence and humiliation during childhood are necessary and that they are not very often perceived even as a problem at all (UN 2006b: para. 26). The 2002 UN General Assembly Special Session on Children adopted a Plan of Action (UN, 2002) , which encouraged all countries to adopt and enforce laws prohibiting violence against children, and commissioned a special study, published in 2006 (Pinheiro, 2006).

#### **4.2.3 The African Charter on the Rights and Welfare of the Child (ACRWC)**

The ACRWC (1990) is the first regional binding instrument that sets out rights and principles for the status of children in African society. The ACRWC makes it clear that it has primacy over any custom, tradition, cultural or religious practice inconsistent with the rights duties and obligations in the ACRWC, although the Charter's power in relations to the African Union and state politics has been critically assessed (Bekker, 2007; Lloyd and Murray, 2004). The Charter recognises children as rights bearers as well as bearers of responsibilities to others.

Article 16 provides 'Protection against Child Abuse and Torture' and requires that:

States Parties to the present Charter shall take specific legislative, administrative, social and educational measures to protect the child from all forms of torture, inhuman or degrading treatment and especially physical or mental injury or abuse, neglect or maltreatment including sexual abuse, while in the care of the child (ACRWC, 1990: Article 16. para. 1).

Criticisms of the ACRWC include the following (e.g. Chirwa, 2002; Lloyd, 2002; Olowu, 2002):

- Article 20 on 'Parental Responsibilities' can be interpreted as supporting physical punishment by parents, for it does not clarify the meaning of 'domestic discipline';
- Article 31 on children's responsibilities and duties to respect parents, superiors and elders at all times, which cannot be located in the UNCRC may conflict with the UNCRC principles (compare with Sloth-Nielsen and Mezmur, 2008);
- the ACRWC does not require its state parties to fully commit and use their resources to benefit children. This weak provision cannot ensure that the commitment of the states to realise the rights enshrined in the ACRWC.

Although the effectiveness and the interpretations of the ACRWC are contested, as in any human rights debate as reviewed earlier, the Charter can be seen as a set of principles that are nonetheless against the use of corporal punishment as a disciplinary practice.

#### **4.2.4 Tanzania - national initiatives**

As described in Chapter 1, the Government's commitment to education and to ending the corporal punishment of children as a part of initiative to realise the principles of the UNCRC have been slow. The Child Act (URT, 2009a), which was passed almost 20 years after the country's ratification of the UNCRC allow corporal punishment of children in homes, schools, penal systems or in alternative care settings. Legal provisions explicitly prohibit act of violence against adults, but not against children. The UN Committees on the Rights of the Child and on Human Rights have both raised concern about the legality of corporal punishment in Tanzania in their recommendations and comments made upon the Tanzanian reports (see End All Corporal Punishment of Children, 2009; Pinheiro, 2006; UN, 2006a; UN, 2006e) . However, increasing numbers of local, national and international NGOs, for example, HakiElimu, Kuleana, Legal and Human Rights Centre (LHRC) and Save the Children

organisations actively engage in the debates aiming to influence public opinion and government policy (see Rajani, 2000; Chapter 8).

### **4.3 'Hard' evidence?**

There are continuing efforts to gather empirical evidence of the short and long term effects of physical punishment from a range of perspectives. Crittenden explores parents' reasons for using corporal punishment from an ethological perspective, the biological and evolutionary based study of human behaviour, and argues that corporal punishment 'may have come to be as it is' as the 'ultimate communicative signal' that 'protects' the child from danger and shows the dominance relationship between the adult and the child or the stronger and the weaker' (2005: 87). Some ethological writers argue that the parent-child relationship should be modified according to situations and the child's developmental changes (Eibl-Eibesfeldt, 1979). However, as Crittenden (2005) acknowledges, this does not morally justify corporal punishment.

Psychological research includes behavioural theory and principles of operant conditioning, derived from research in the animal laboratory (Skinner, 1938), which used to be cited to support the 'effectiveness' of corporal punishment in ensuring the child's compliance. However, recent studies have shown that the use of corporal punishment does not necessarily lead to compliance, particularly if it is used frequently or for extended periods (Powers and Larzelere, 2005). Some studies also found corporal punishment can have negative effects on the adult-child relationship (Snyder *et al*, 1994; Snyder and Patterson, 1995). Psychologists such as Christophersen (1992) and many others argue that while the use of corporal punishment may decrease the undesirable behaviour, it does not teach desirable behaviour to the child (also see de Veer and Janssens, 1994; Hoffman, 1994). Instead, some writers have reported correlations between corporal punishment and: increased aggression in childhood (e.g. Gershoff, 2002; Grogan-Kaylor, 2004; Hyman and Perone, 1998); diminished empathy (e.g. Greven, 1992; Leach, 1989); decreased self-esteem (Grusec and Goodnow, 1994; Straus, 1995; Straus and Kantor, 1994; Turner and Muller, 2004); and increased aggression in later life (McCord, 1991; Straus, 1996; Straus and Yodanis, 1996). Although some researchers argue that these

adverse effects can be moderated by factors such as increased parental warmth and caring (Campbell, 1990; Deater-Deckard and Dodge, 1997; Simons *et al*, 2000), may be mitigated by cultural factors, such as when the practice is more common in the community (Deater-Deckard *et al*, 1996; Lansford *et al*, 2004), these arguments tend to rely on empirically supported 'hard' evidence, and fall short of ethical justification of violating the child's bodily integrity (more on this later).

As reviewed in Section 3.2, Developmental psychology's general focus on children's future has been criticised for devaluing their present childhood, and for treating children unrealistically as an apolitical, standardised, universal social group, characterised by relative inferiority to adults (see e.g. Burman, 1994; 2007). However, most research, and much of it is valuable, on corporal punishment has been done by developmental psychologists (Straus, 2001). They 'want to know how small people become big people', and thus are concerned with 'factors that lead to good and bad outcomes' (Mayall, 2002: 22). Their particular concern with factors that affect children's futures will generally provide adults with more reasons to think about the use and effects of corporal punishment, and to help to question and deconstruct dominant negative concepts of childhood deficiencies and unruliness, which are still prevalent in many parts of the world. Therefore, contrary to what is still widely accepted as 'natural' and scientific justifications for corporal punishment, these recent studies that mostly rely on the positivist methodology suggest their limitations, because they are unable to consolidate the individual/society, childhood/adulthood, and reason/emotion divisions.

Some psychologists (e.g. Baum and Kupfer, 2005) consider that research evidence can justify the use of corporal punishment, as long as laboratory research results endorses the practice, purpose and intended outcomes of corporal punishment. However, while such research may be useful in some aspects, biological or utilitarian arguments about evidence and effectiveness cannot be the sole ground for either opposing or supporting the physical punishment of children, for the individual-focused methodology often prompts and justifies unequal distributions of respect and responsibility between children and adults (more on this in Sections 4.4-4.6). The

UNCRC has transformed the debates into moral concerns for the protection of children and their equal rights in mutually respectful relationships between adults and children. This is a fundamentally different approach to questions of ethics that does not privilege either biology over culture and morality.

#### **4.4 Harm, cost and benefit: utilitarian approaches**

As noted above, there are mainly three approaches to the morality or ethics in punishment. This section explains the harm, costs or benefits in what can be broadly called utilitarian (or consequentialist) approaches that look forward to outcomes of decisions or actions. The aim is to do what is probably the best. This ethical position is closely related to those who seek justifications on grounds of the 'hard' empirical evidences explained above. This position holds that punishment is morally right, if its consequences are good. Thus in order to justify the punishment, the harm/benefit approaches must show that it does some good and that there is no better alternative available to the practice of punishment. Although there are differences amongst those who take this position, their common argument for punishment is that it promotes the potential good, such as the future autonomy, welfare, and prevention of deviance that can be identified independently of the punishment itself (Duff and Garland, 1994: 6). Defences of physical punishment include:

- it can protect us – as individuals or as society - from the punished person;
- punishment can reform the punished person;
- punishment can deter the others from the future offence.

For example, it may justify the harm to a small group of people for the benefit of a larger group, or be a good way to deter future offence (see Walker, 1991; Wilson, 1983), or to help to reform, rehabilitate or socialise the punished person.

As aforementioned, the effects of corporal punishment can be seen as empirical evidence to support this position. However, they can also be a ground for rejecting the argument forwarded by the utilitarian explanations of reform and deterrence (promoting the happiness of greater number) if there are adverse effects of punishment (e.g. Fleisher, 2003; Huesmann and Podolski, 2003). There is also another utilitarian approach that focuses on economic effects of punishment (see Andrews, 2003). The communitarian approach too can be understood as a form of the

consequentialist approach that focuses on the effects of corporal punishment to maximise the benefit and/or welfare the larger group (e.g. Lacey, 2003). Wilson's (1983) work suggests the ways in which the institutional arrangements surrounding the punishments can be effectively arranged within a particular political context. However, utilitarianism can be philosophically challenged by the theory of punishment based on duties, and those critiques will be illustrated in the following section.

#### **4.5 Duties of justice, respect and avoiding harm: deontological approaches**

The duty-based approach to punishment is based on theories of deontology that are commonly associated with Kantian thought. This section focuses on Kantian and Hegelian notions of deontological approaches to punishment, which emphasise the justice of the act of punishment itself, independently of its consequences. Honderich (2006) regards this as a 'backward-looking' approach, for it focuses on what has happened, or on laws and rules formed in the past, to justify punishment and to argue that punishment is a just response to crime, and that only the guilty should be punished. Punishment as retribution is commonly derived from Kant's 'categorical imperative' (1996b; 1996c) to base acts on the principles and duties of respect, avoiding harm, and/or justice (1996a; 1996b; 1996c). For Kant, it is a categorical obligation to impose deserved sanctions, if the punished person has acted immorally and wrongly as opposed to just illegally (1996a; 1996c).

It is commonly understood that this Kantian deontology provides three ethical grounds upon which punishment can be justified. Firstly, it emphasises the importance of individuals as free and autonomous persons, thereby treating the persons as ends in themselves (*ibid.*). Therefore, the aforementioned utilitarian justification of curtailment of the importance of individuals (respect to the agent) for the greater good is in theory morally rejected (although rule utilitarians consider that the Kantian formal universalisability principle allows the sacrifice of the individuals for the greater good, e.g. Hare, 1997). However, many (e.g. Nozick, 1974) point out that this agent-centred deontological argument also holds one condition of having rights, which is to respect the rights of others (victim-centred argument). Thus the punished



person's certain rights can be curtailed if that person did not respect the rights of others (i.e. the victims or the larger society) (but because Kant holds that the agent is a rational autonomous free individual, this should not happen in theory).

The second argument holds that one bears rights but must not use these rights to treat others as a means to serve one's own benefit or ends without their consent, and breaching this moral duty can justify punishment (Nozick, 1974). This approach is based on the agent's moral duty to not to intend or cause evil such as killing or torture, which are categorically prohibited, and agents must fulfil this duty to the best of their abilities. If they do not, punishment is a means of avoiding, preventing or deterring such harm. The third formulation of deontology is most commonly known as the contractual theory of justice as argued by Rawls (1971). The basic argument is that morally wrong acts are those acts that would be rejected by people in a social contract. It is the maxim that requires individuals to act as rational agents. Rawls' (1971) model famously bypasses the selfish bias of individuals through the 'veil of ignorance', when they choose or act as if without knowing which of all the people involved they will be, and so they treat everyone involved fairly and equally. Whether such deontological approaches are plausible without necessarily invoking the utilitarian arguments is much debated (e.g. Cummiskey, 1990), as Rawls acknowledges himself by introducing the 'difference principle' (1971) (thus Rawls is also called a rule-utilitarian. Also see Rawls, 1955). Although Rawls' model does not ultimately justify retributive punishment as an end, it recognises the role of utilitarianism (Wood, 2002). There are many, who provide a justification of punishment based on mixed theory of the Kantian retributivism and utilitarianism (e.g. Merle, 2000).

Brooks (2001) argues that Hegel's approach to crime and punishment also combines retribution and utilitarianism. Like Kant, Hegel argues that punishment is a means to right the wrong done in the past, and also emphasises the importance of the individual as a rational being endowed with rights. The criminal recognises the universal law, and it is 'the criminal's right' to be punished, for this restores the punished criminal's rationality, therefore we are morally obliged to punish the

offender, independently of contingencies (Hegel, 1942: 70). According to Honderich (2006: 45) this establishes two principles: implicitly, the punished person embodies his or her right as a moral being; and the punished person explicitly embodies the right of the others to punish by accepting the punishment (Hegel, 1942: 70).

Unlike Kant, however, Brooks (2001) points out that Hegel suggests a version of proportional retributive punishment. Therefore, like Rawls, Hegel states that only the guilty should be punished, but punishment need not be the actual degree of suffering that the criminal caused to the victim (1942). Brooks (2001: 574-576) shows that Hegel suggests an account of punishment in terms of value, which considers the social utility to determine the actual form of punishment at the second level (not the primary motivation).

Brooks (2001: 577) also draws attention to Hegel's argument about the changing nature of the appropriateness of a punishment for the said crime, and the progress that education brings (1942: 246, para. 96 Addition) (see Ryberg, 2004; Tonry, 1994; von Hirsch, 1993; Zimring, 1994 for discussions of proportionality). This sense of progress or 'historically emergent demand for human perfectibility and freedom' (Norrie, 2004: 48) seems, however, to have split emotion and reason, that together constitute the moral instincts of rational agency, into separate spheres by assigning reason the task of keeping checks on the moral feelings or emotions. While Hegel (1942) recognised the necessity of emotional bonds with others in childhood, he denies the possibility of love in the modern (rational, civilised) world as the child develops into a self-interested atomistic individual (more on this in Chapter 8).

It is often argued that retributivism alone would fail to provide the appropriateness or proportionality of the punishment as a response to the act to be punished (Boonin, 2008; Honderich, 2006 Ch. 2; von Hirsch, 1993). It is also said that the sense of retribution can allow arbitrary personal judgments, because the extent of consensus can only go so far, as can be seen in Hegel's inability to reconcile the social reality with the ideal that often manifests as the problem of conflict between the individual and social justice (Norrie, 2004). Yet, for example, our deeply felt moral instincts

would not let us enslave a group of corrupt politicians based on the assumption that it would benefit the wider community (see Boonin, 2008). However controversial it may be, the point to be made here is that the duties of justice, respect and avoiding harm themselves are seen as moral grounds of punishment instead of being subordinate values to cost-benefit calculation. The rational agents, who adopt the institutions to govern their relations, agree to the principles of punishment in accordance with the universal law (see Murphy, 1970). I also would like to note that the rationality in Kant's retributivism is presented as mastering of the body (if the punishment is administered to cause the suffering on the body) through the rational-cultured free mind, which is linked to concepts of the freedom and rights of the autonomous individuals (more on this in Chapter 8).

#### **4.6 Other approaches**

As a reaction to the popular rehabilitative or reform approach, a paternalist or educational approach to the theory of punishment was proposed by writers such as Morris (1994) and Hampton (1984). This approach considers punishment as an intrinsically appropriate means to achieve a certain goal, such as moral education. This has developed as a reaction against the utilitarian approach that subordinates the rights of the punished people to other criteria. The paternalist/educational approach aims to focus more on the state of the punished persons as autonomous being, and argues that punishment is justified only because they are seen as moral agents. Morris (1994) argues that this paternalistic approach, founded upon the view of a more communitarian society that is illustrated in Chapter 2, emphasises the role of punishment to communicate its intension without resorting to the threat of suffering. Through the practices based on the 'parental selflessness' that promotes the child's best interest, the child learns and eventually becomes capable of seeing the nature of the good (Morris, 1994). For Morris (1994) the good includes emotions of guilt and regret or shame for the wrong doing, empathy for those who have suffered, and the conception of oneself as a responsible individual worthy of respect.

Both Morris and Hampton emphasise that the individual may be freely attached to the good as a result of punishment. Punished people are free agents who are consciously engaging in actions for which they are liable to be punished. Therefore,

their concept of the good in punishment distinguishes itself from the rehabilitative approach and claims that punishment should be administered with respect for an individual's autonomy (see Shafer-Landau, 1991 for a critical analysis of the educationist position). Their concept also sets a limit to the severity of punishment. This can be seen as a form of rights-based approach to punishment. However, as will be argued in later chapters, this paternalistic approach tends to be used as rhetoric to manipulate the content of 'good' or 'right' or 'the best interest' in various forms that often emanate from unequal power relations.

Amongst many critical points made against this approach, Mathiesen (1994) argues, focusing on this communicative dimension of punishment, that the process is more complex and problematic, for not every member of the community shares the same values. Moreover, Duff's (2001) communicative theory of punishment argues that it is important to critically engage with the ways in which punishment is administered, if punishment intends to communicate moral messages. Duff (*ibid.*) thus argues that mere imposition of force upon the punished without appropriate guidance and reciprocal communications amongst the punished, those who punish, the community and the victims of the said crime, is a failure to treat the punished as autonomous agents. To do so, according to Duff (*ibid.*), is to exclude the person from the normative community instead of including him or her. Further, punishment often invokes feelings such as bitterness and anger. The act of invoking remorse or shame can also be harmful rather than morally educative.

#### **4.7 Sociological theories of punishment**

As the critiques made against the above approaches reveal, they mainly ignore inequalities of power, and also questions of justice in attempts to prove guilt. They focus on the individuals, thereby compartmentalising individuals. The forward-looking and backward-looking approaches to punishment and the 'hard' evidences that aim to help us to understand the effects of punishment seem to ignore (or be unable to account for) the present moment of these individuals who are punished, and the social relations in which they are located. They thus stand in very ambiguous positions in relation to the human rights principles as presented in the previous chapter, for these theories tend to be more biological and behavioural rather than

social and moral. In his works on poverty and punishment, Wacquant (2001; 2003; 2009) persuasively argues that any accounts of decontextualised analyses – i.e. purely empirical, individual and/or idealist terms – are incapable of explaining day-to-day textuality of punishment that is inextricably connected to society and the state (also see Garland, 1990a; 1990b; Norrie, 2000; 2004). Sociological approaches aim to account for the ways in which practices of punishment are related to broader economic, political, historical, cultural and social processes (e.g. Durkheim, 1964; Foucault, 1979a; Rusche and Kirchheimer, 1968).

As much as we need to consider morality, and the morality of punishment, it is also important to understand social contexts, in which punishment has come to be what it is/what we understand it to be. Amongst many approaches, I would like to focus on those offered by Durkheim and Foucault, because I understand that they try to account for relational aspects of punishment from two very different methodological perspectives. I also chose these two as they explicitly touch upon the use of punishment on bodies. First I will consider the positivist perspective offered by Durkheim, in which the social relations of actors were overemphasised at the expense of individuality. Secondly, I will briefly illustrate the dominant understanding of Foucault's views on punishment, which are also considered as focusing on the notion of the self as a social construct at the expense of its individuality, but from Interpretive perspective. However, following (Rose, 1989; 1999), the third part of this section points out the importance of Foucault's (later) works as a contribution to the genealogy of the self, which can facilitate the understanding of corporal punishment of children in terms of the ethics of (international) human rights discourse. This understanding thus points to a view of corporal punishment as a relative failure of the strategies of power (although it is nonetheless repressive).

#### **4.7.1 Durkheim on punishment**

For Durkheim the task was to reveal the laws between social facts (material or nonmaterial) to determine whether a social structure was healthy or pathological regarding the said society's shared nonmaterial social facts (including beliefs, morality, emotions) that constrain the individuals through material social facts (physical social structures and routines) such as punishment (Durkheim, 1938). A

social fact 'consists of the ways of acting, thinking and feeling, external to the individual' (Durkheim, 1938: 3). Therefore, Durkheim continues, any social fact is distinct from biological phenomena, which 'consist of representations and of actions', and from psychological phenomena, which reside 'only in the individual consciousness and through it' (*ibid.*). Durkheim argued that punishment was an embodied set of the 'collective conscience' that expressed and reproduced the values of a particular society (1964). Thus the essence of punishment is not its instrumentality or rationality. He viewed society as consisting of shared frameworks of meanings and ethics, without which the social life was inconceivable. He believed that the culture and ethics of any society have their bases in a particular social organisation, including punishment, or in a 'social current' such as 'enthusiasm, indignation, and pity in a crowd', which shaped a social whole (Durkheim, 1938: 4). Unlike Kant, Durkheim did not dismiss the role of emotion, nor did he consider that emotions must be checked upon by rationality as Hegel did (see above). He argued that irrationality and emotion were at the heart of punishment, and they were mediated by punishment as institutional routines. He argued that the energy of punishment sprang from the emotions aroused as a response to the offence that violated collective sentiments, and through institutional means the emotions were to be mediated and the degree of sanctions was to be kept minimal (Durkheim, 1964).

Durkheim (1961) regarded punishment as a concrete sign to remind the punished people of the moral orders of the society, and he argued that the school system was a good example of such social organisation, in which punishment was used as an expression of collective values in modern society. School education functioned as a means of socialisation. Under such conditions, corporal punishment was unnecessary in a highly civilised society, except in the training of those who were yet to acquire a moral sense – i.e. very young children. Durkheim was indeed against the use of corporal punishment at school, because it was usually administered impersonally. However, he was not against such practices at home, where they can be administered with tenderness and affection. Yet he acknowledged that the act of corporal punishment contrasts with the moral value of our society (i.e. the respect for persons). He believed our sensitivities were changing, and that irrational and

uncivilised people were to be physically punished in order to become part of the collective conscience (Durkheim, 1961; Pickering, 1998). Garland (1990a: 8) observes that Durkheim did not see punishment primarily as a means to an end, but regarded it as an emotionally motivated gesture based on the nature of things. Therefore, Garland (*ibid.*) suggests, Durkheim considered that laws and other justifications merely mediated the emotional reaction into an ends-means orientation, although they did not change the nature of punishment as an act of outrage, and not primarily one of calculation.

Unlike the above approaches, Durkheim did not see punishment within the context of conflict between individuals or individuals and society. Garland argues that Durkheim assigned punishment a function of strengthening solidarity by reaffirmation of mutual relationships (1990b: 9). However, as Garland (1990b: 9) points out, Durkheim failed to account for possible negative effects of punishment. Moreover, Durkheim's methodological approach excluded the sources of the logic of punishment other than collective consciousness (see Garland, 1991 for more critique). Thus, Garland (1991: 127) continues that while Durkheim's claim does provide a source of systems of punishment by providing a space for shared feelings, there are other properties that facilitate our understanding of punishment.

#### **4.7.2 Foucault on punishment**

Foucault can be epistemologically identified with Interpretivism<sup>17</sup> (more on this in Sections 5.3, 8.2.5, 8.3.4). This strand of epistemology is concerned with the structure that goes beyond that of Durkheim by rejecting the relatively fixed and universal principles of law through the method of deconstruction of discourses (Delanty and Strydom, 2003; Foucault, 1970; 1979b). It is also argued that Foucault's perspective opposed the belief in the universality of human nature and ethics (Delanty and Strydom, 2003: 323). Based on these assumptions, Foucault's genealogy of

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<sup>17</sup> Foucault (e.g. Foucault and Gordon, 1980) is often associated with post-structuralism (see 5.3), and emphasised 'de-centred' power unlike Marxism. However, Foucault's epistemology can be located within a broader Interpretive movement, which connected meaning and/or truth to social productions through particular discursive practices. Moreover, his critique of the modern mechanism of (non-sovereign) power can be broadly linked with Marxist critique of more 'centralised' power of the dominant class in a capitalist society, for both criticised oppressive dimensions of power (see especially Foucault and Gordon, 1980: 98).

punishment (1979a) can be regarded as condemnation of the relations of domination and subjectification that is a continuation of Marxist analysis of power. The central argument of Marxist writers' views on punishment was, although they used different frameworks (e.g. Rusche and Kirchheimer, 1968 –economic framework; and Pashukanis, 1978 –political framework), that punishment works as a means to maintain social and economic dominance of a particular group of the society. They indicate the connection between punishment and power, as Foucault (1979a) sees it, but the Marxist concern with power was that of one-dimensional power (Lukes, 2005) (see Chapter 5). The will of the subject is, according to Marx (1974), reified in the object. However, Foucault (1979a) takes a different turn in his analysis of punishment based on his understanding of knowledge-power (Foucault and Gordon, 1980) as both subjectifying (agential activity) and objectifying (dehumanising activity) (Dreyfus and Rabinow, 1982).

Through the analysis of penal systems, Foucault (1979a) shows the specific technologies of power at work: from public spectacle of physical punishment to the principles of surveillance on bodies. Punishment can be understood as a form of technology of power in society. Generally, his analysis of punishment ties the power to control although he does not simply reduce power to control (e.g. Foucault, 1979a; 1979b; 1980). Through punishment, Foucault (1979a) shows how these technologies come to be embodied in wider spheres of society and social relations within. According to Garland (1991: 135), Foucault's critical analysis offers an insight into the changing discourses regarding justice. It suggests the shift in focus from the offence itself to the production of normality through surveillance or gentle correction (*ibid.*), which is based on an epistemology of a shared human nature that Foucault resists. Rose (1989; 1999) argues that this present form of punishment can be seen as an example of the technology of power that aims to govern the 'soul' through 'the body'. However, as noted above, the sort of power Foucault suggests differs from what Lukes (2006) calls one-dimensional or two-dimensional notions of power. Baert argues that Foucault understood power as emerging out of the relationships between people, rather than centralised power-over (1998: 124; see Foucault 1979b: 84-85). Therefore, it would be wrong to quickly accuse Foucault of his failure to account for



punishment that goes beyond the subordination of actors to structures, for Foucault's later works (particularly) do not reduce power to control, but include the possibility of resistance (e.g. Foucault, 1979b; 1980; 1983; 1988) (more on this, and on critical realism and power, in Chapter 8).

According to Rose (1989; 1999), Foucault then proceeds to show how the present technologies of power inscribed in its focus on rationalities can provide a way to analyse how the forms of power, which can be both coercive and productive (see Section 5.6.1), are generating relations and agency. Therefore, it seems to be a helpful framework for the analysis of the workings of corporal punishment of children, who are often seen as passive objects of oppressive power (see Chapters 3, 7 and 8). Nevertheless, as Garland (1991: 139) indicates, Foucault's account of punishment does not (explicitly and directly) pay attention to the moral values and emotions that also constitute the systems, in which the forms of punishment operate. This is due to his suspicion of the universality of human nature and ethics as products of historically constituted regimes of truth that can be subject to manipulation by those who dominate (more on this in Chapter 8). As noted in the introduction of this chapter, the logic of retribution in the Lockerbie bomber controversy cannot be explained thoroughly by the calculations and rationalities of the modern society.

#### **4.8 Summary: the key emerging themes**

This chapter started with the consideration of difference between the corporal punishment of adults and children. The review of legal aspects of corporal punishment of children showed how the UNCRC tries to provide a comprehensive set of principles that support the banning of corporal punishment of children and how this was also echoed in the ACRWC, which Tanzania has ratified. However, the current Tanzanian constitutional provisions and legislations do not reflect such aspirations, although the government and part of the society are working towards the banning of corporal punishment of children.

The chapter also thus showed how such conflicting interests can be analysed from different approaches, in which the distinction between the corporal punishment of children and of adults implied in the ACRWC and the Tanzanian national legislations

could be traced. It reviewed how the philosophical justifications of punishment use the above mentioned conceptions of autonomous free and rational rights holders to exclude the others who are not regarded as rational – children. While psychological, biological and philosophical approaches to punishment provide understanding about the currently existing debates about punishment based on rights, rationality, responsibility, and individual autonomy, they focus too heavily on individuals at the expense of their relationship with society.

Sociological perspectives of Durkheim and Foucault both offer important insights into the problems of punishment through their analyses in the light of collective moral values, emotion, rationality and power that operate in society, in which individuals are located. Foucault's analysis of power, in particular, seems to provide a useful framework to understand and explain how children's and adults' experiences of pain are interpreted differently. Yet humanitarianism is not merely about political rhetoric as Foucauldian writers might suggest. Suffering caused by pain felt by the punished individuals is real and involves more than just rationalities. The concepts or perceptions (i.e. epistemologies) of suffering and pain that come out of educated guesses informed by science cannot fully understand, explain or support the embodied nature of human rights as a mechanism that can illuminate and transform the unequal relations between adults and children. This is evidenced in the continued practices of corporal punishment in many parts of the world.

Chapter 4 thus identified the necessity of consolidating the divisions between reason-emotions, mind-body, and individual-society in the light of the critical realist methodology, which is an ontologically stratified and epistemologically relative methodology (e.g. Bhaskar, 2009). Also, the question remains as to how we can explain and consolidate the mutually exclusive relations between the above divisions. How and why critical realist methodology helps to bridge the divisions will be explained in Chapters 5. For the reasons indicated in this chapter and the proceeding chapters, I would like to turn my attention to the problem of methodological approaches.

## **Chapter 5 Methodological approaches**

### **5.1 Introduction**

Social science methodologies, the combination of research theories and methods, are complex and can overlap. Each methodology can lead a researcher to a thought closed to other possible explanations and understandings of the social world under study. No one theory is capable of fully explaining everything about the world we live and lived in. Instead, a researcher needs to be reminded of continuous methodological inquiry through experience, reflection and practice. As practice and theory always contain each other, methodology involves the theories and concepts, and practical methods of research, and the rationale that justifies one's selection of particular methods of selecting, collecting and analysing data (Blaikie, 2000; 2007; Brunskell, 1998; Harrington, 2005b; Sayer, 1992).

Before introducing critical realism, Sections 5.2-5.4 briefly review three main approaches to social research: positivist, Interpretive and critical approaches. Its aim is to set out background to my experience of the data analysis processes considering the choice of critical realism as a methodology. Sections 5.5-5.6 then introduce critical realism with reference to positivist, Interpretive and critical approaches, and show why it is the chosen approach. The closing summary draws out questions for my research raised in this chapter. Chapter 6 will cover the practical methods of designing and conducting the research, which are based on the methodologies examined in this chapter.

### **5.2 Positivism**

Positivist researchers often view the social world as 'objective reality', which is out there, and exists independently of one's interpretation. Positivism provides explanations of phenomena based on empiricist epistemology, which assume that we merely need to and can observe a particular social phenomenon from an objective point of view and accurately represent it in scientific concepts and theories (Blaikie, 2007: 19-20; Descartes, 1991; Williams, 2005). Positivism is underlined by 'faith in the power of reason and rationality' (Filmer *et al*, 1998: 25). Therefore it is argued that social science research methods are like natural science methods such as physics,

dealing with observable constant conjunction of events in closed systems. The perspective equates the knowledge of social reality with the knowledge of (observable) events that can be confirmed or verified by observation. Its historical roots lie in the Enlightenment when theological explanations of the natural world came to be rejected (Filmer *et al*, 1998: 25; Henn, Weinstein and Foard, 2006: 11) and were replaced by explanations based on laws of nature and observable facts. The nineteenth century thinkers August Comte (1798-1857), Saint-Simon (1760-1825) (1975) and Spencer (1820-1903) (1972) applied this idea to the social world.

Comte (1974; 2005) contended that true knowledge should be derived from empirical observation, free of metaphysical preconceptions, such as by the mind or spirit, which cannot, by definition, be investigated by the methods of science (Bernard, 2006: 5-6; Harrington, 2005a: 27; Sarantakos, 1998: 3). The empirical positivist realism of David Hume (1711-1776) (see Dicker, 1998; Hume, 1991; 1999), whose works influenced Comte's, focuses on regularity, and gaining knowledge of the real world through observing the 'constant conjunctions of events and causes'. The world only consists of the 'empirical domain' to use the critical realist term.

My summary of common characteristics of positivist methodology's assumptions (from Henn *et al*, 2006; Morrow and Brown, 1994; Sayer, 1992) is that:

- There is no fundamental difference between the subject matters of the natural and the social sciences;
- The social world consist of observable constant conjunction of events;
- Knowledge is gained through unmediated observation of the cause and effect;
- Knowledge can be evaluated independently of its context;
- Researchers should use the scientific method, which emphasises control, generalisation and objectivity;
- The research design should often be large-scale and highly structured;
- Methods should be reliable or repeatable;
- Data and hypotheses can be tested by observation of tangible evidence;
- The actors concerned are usually seen as an aggregate of individuals and thus not necessarily interacting through social organisation such as community, culture, and so forth; and thus
- The research design often aims to generate large-scale, statistically-based studies in order to construct particular laws that are capable of explaining and predicting the causal relationship between events.

### 5.3 Interpretivism

To critics, the positivist emphasis on causal explanation could not capture the complexities of the social world, and therefore they focused on subjective and constructed aspects of the social world and the pitfalls of taking the world for granted (Sarantakos, 1998: 3). Many of these criticisms emphasised understanding of the social world. The broadly Interpretivist approach involves *Verstehen* (or empathic understanding of human behaviour) (Bryman, 2004) and Dilthey's (1833-1911) (e.g. Dilthey, 1996; 2002) hermeneutics, as well as more contemporary Interpretivism and critical approaches (see footnote 13 for difference between 'Interpretivism' and 'interpretivism'[with small i]). Influenced by the hermeneutics of Dilthey, who emphasised the lived experience through which agents construct 'culture' that can be objectively understood, Max Weber's (1864-1920) interpretivism argued that the social world was to be understood from the points of view of the people (but not so much as subjective individuals) we are studying (1949). Although anti-positivist writers such as Winch (1988) claimed that Weber was wrong to suggest that understanding still needed to be complemented by causal analysis, Weber made an important claim pertaining to knowledge in social science. Weber acknowledged that all research is oriented by the researchers' values or ideas and argued that concepts appropriate to social science are different from those employed in natural science (Poggi, 2005: 65).

Edmund Husserl's (1859-1938) (Husserl, 1970) phenomenology, which influenced Dilthey's later works (that emphasised structure and intention, e.g. Dilthey, 1996; 2002), emphasised that the methods of natural science, are inappropriate for the study of human thought and action. Heidegger (1889-1976) (see Dreyfus and Hall, 1992; Heidegger, 1962; 1969), who was influenced by both Dilthey and Husserl, argued that understanding pertains to ontology rather than to a mode of knowledge (epistemology) thus shifting the focus to ordinary people's understanding of human existence itself rather than as a way to establish truth (Blaikie, 2007: 122-123). Alfred Schutz (1899-1959) also elaborated and applied ideas of phenomenology to social science (Bernard, 2006: 24). Following Weber, Schutz (1962: 59) pointed out that social scientists needed to interpret the 'common-sense thinking of men [*sic*], living

their daily life within the social world' from their point of view to understand social phenomena. Although Interpretivism does not argue that perceptions of the social scientist can be bracketed out as phenomenology suggests, neither does it reject the possibility of agency of individuals. Weber's interpretivism influenced the development of the Interpretive approach along with symbolic interactionism (Mead *et al*, 1938). Ethnomethodology (Garfinkel, 1967), which rejected Parson's functionalist ideas of social order and Durkheim's rationalism that acts independently of the members of a society, also influenced the Interpretivist approach (social facts are used as a means to maintain social order not vice versa) (Blaikie, 2007).

The Interpretive approach distinguishes the natural sciences from the social sciences, suggesting that 'human beings do not passively respond to what is going on around us' (Henn *et al*, 2006; 14). Interpretivism emphasises the meanings people have of the world: essentially an idealist ontology, which is obtained by constructivist epistemology, is often associated with qualitative methods. Blumer (1966; 2004) added Interpretive implications to George Herbert Mead's (1863-1931) ideas and argued that the individual is continually interpreting the symbolic meaning of society, in which interaction (including the actions of others) takes place. Although symbolic interactionism has distinctive epistemological implications, its opposition to positivism has influenced the Interpretive tradition (Bryman, 2004: 15). More contemporary hermeneutics by Gadamer (1989) who regards understanding as the human condition (Kilminster, 1991) is also anti-naturalist and rejects causality. Instead it tries to comprehend the complex layers of the social reality of the case, which requires 'thick description' (Geertz, 1983).

My summary from Henn *et al* (2006: 15, 33) and Morrow and Brown (1994: 209) of the common characteristics of Interpretivist methodology is that:

- The subject matters of the natural and the social sciences are different;
- The social world consists of the discursive sphere that people construct and reproduce;
- Knowledge is already always mediated by the knower including the researcher;
- Knowledge about the social world can be obtained through interpretation, using insider accounts and based on descriptions of what is seen and what is heard;
- Knowledge is context specific;

- The research design tends to be small-scale, intensive, flexible and relatively unstructured;
- The researchers tend to validate their data by seeing whether the meaning system and rules of behaviour make sense to those being studied;
- The actors concerned are usually considered as constitutive of social groups (participants in communities, classes, institutions, and cultural groups);
- The logic of such design emphasises contingent understanding and places less emphasis on causality.

## 5.4 Critical approaches

The third approach broadly falls within critical-emancipatory Marxist traditions as well as postmodernism and poststructuralism (although this is controversial). It suggests that researchers need to take more account than positivism and Interpretivism do of the historical, social, economic and political contexts and structures, which constrain the thought and action of human agency (Henn *et al*, 2006: 15). The critical approach emerged out of various social movements that identified different dimensions of inequalities in modern society, and sought the emancipation or liberation of human beings (see Horkheimer, 1972).

Adorno and Horkheimer (1997), amongst other Frankfurt School theorists including Habermas (see e.g. 1979; also see Geuss, 1981; Held, 1990: and below), identify and criticise manipulation and domination or the ills in modern societies, under which the concepts of reason, rationality and objectivity lead to further destructions instead of human emancipation (see Adorno *et al*, 1976). In this sense, other approaches such as feminism, critical race theory, and postmodernism and poststructuralism can also be considered as critical approach in a broader sense.

Postmodernism and poststructuralism also challenge modernity (Enlightenment positivism) (e.g. Deleuze, 1991; Derrida, 1976; also see Stocker, 2006), and argue that the task of a researcher is to understand the already mediated social world and to distinguish the social and natural sciences from each other. Postmodernism is based on three principles: the decentred self; the challenge to all who claim that their arguments have authority; and a commitment to the instability of our understandings and meanings (Filmer *et al*, 1998: 34). Postmodernism, which casts doubt on all discourses (i.e. systems of knowledge and their associated practices), can be both

enabling of human potential within the boundaries or constraining (Harvey, 1990) and overly relativist (Gellner, 1992; compare with Norris, 1997; Turner, 1994: 15-17).

Postmodern approach is a movement away from the methodologies characterised by the objectivity and progress associated with the Enlightenment. The postmodern critical-emancipatory approach of the German philosopher Nietzsche (1844-1900), influenced the left-wing French writers such as Derrida, Foucault, and Deleuze (Filmer *et al*, 1998: 356). Critical postmodernism and poststructuralism are often closely associated, while post-structuralism is concerned with rejection of structuralism's claim about absolute truth about world. For instance Foucault (2000; 2002) sees that culture and meaning are inextricably related. Typically, they are interested in revealing inequalities through their commitment to either to reconstruction or to deconstruction (e.g. Derrida, 1973).

Generally, critical approaches do not offer an alternative epistemology to Interpretivism (e.g. Derrida, 1976), but they differ in their interest in the struggles to change unequal relations in the social world, and in their critique of contradictions and gaps, which develops new thinking. To sum up, there are four, but not mutually exclusive, theoretical sources within the critical approach. According to Alvesson and Deetz (1999: 187) these are:

- A historically based Marxist social conflict theory;
- A Freudian notion of human subjects;
- The power-knowledge relation that arose from Nietzsche's perspectivism; and
- A non-dualistic constructionist account of experience and language based on phenomenological hermeneutics and structural linguistics.

For example, Foucault argues that society and culture are constituted of a system that constructs meaning through the exercise of power, but the power-knowledge relation that emanates from the rhetoric of historical (e.g. Kantian) reason is mediated by relations with oneself (Foucault, 1994). Habermas (1978) accepts some features of positivism while rejecting others as a means to study empirically observable aspects in social life. Yet, he contended that ultimately truth claims can be made possible provided that 'an ideal speech situation' is present, when all have equal access to information and public debate. Giddens (1979; 1991) also tries to



challenge the dichotomies such as natural/social and structure/agency that give rise to the problems of relativism and subjugation of social actors to social structures by undermining the dominant ideology through social scientific knowledge. Critical researchers ask questions such as how are the experiences of children constructed through power and knowledge relations and child-adult relations? How are such contradictory unequal conditions of knowledge and experiences normalised through everyday practices?

Although the approaches vary, I have summarised their common features of critical methodologies (from Alvesson and Deetz, 1999; Comstock, 1994; Henn *et al*, 2006) as:

- The subject matters and methods of the natural and the social sciences are different;
- The social world is discursively constructed either individually or collectively;
- Knowledge is already pre-interpreted by the researched and the researcher;
- Knowledge is embedded in its context;
- The research design tends to be small-scale, and intensive, but it is also flexible and can use both quantitative or qualitative design in the way that is appropriate to realise its emancipatory goal within specific power relations;
- Research design emphasises accounts and descriptions of more marginalised groups or individuals in order to reveal inequalities, malpractices, injustices, and exploitation; thus it is problem-centred and geared towards more political agendas;
- The method will be based on a dialogue with the concerned population or individuals rather than experimental manipulation of them;
- The method seeks to engage the actors in the research process to revitalise self-understanding and collective self-formation (Comstock, 1994);
- The research design recognises all social actors as (potentially) active agents in their social as well as personal lives, but their subjectivity or objectivity is located in specific intersubjectivity (Alvesson and Deetz, 1999: 187);
- Thus the focus is more on concepts such as fragmentation, resistance and textuality/contexts, and is not primarily interested in causal explanation or in the existence of an essential world (Alvesson and Deetz, 1999: 187).
- In general, the (Nietzschean but not Marxist) critical approach 'only bites on the assumption that truth is aimed at' without much concern for what the truth of the object of critique is (Collier, 1999: 36).

## 5.5 Critical realism

Although the above three major approaches are evolving, and compatibility of the Marxist critical approach<sup>18</sup> and critical realism can be delineated (e.g. Bhaskar, 2008a; Brown, Fleetwood and Roberts, 2002), the three approaches tend to lack a more explicit theory of ontology, particularly on absence, which critical realism addresses (the importance of the ontology of absences is explored fully in later chapters). So as to understand and explain the gaps identified in the previous chapters, in regard to rights, childhood, punishment, pain and emotions, the critical realist approach's ability to elucidate the problems of the existing focus on epistemology and lack of explicit ontology seemed promising for the analysis of my experiences from the two primary schools. Thus, after collecting my data, I decided to study critical realism more intensely, and realised its value for analysing my ethnographic data, as I explain in this chapter, it is far more insightful and valuable as a method of analysis. Why and how the emphasis on ontology and dialectics between ontology and epistemology is important is explained in the rest of this chapter, and applied to data analysis throughout the later chapters.

Ontology concerns the nature of reality and function, and epistemology is about how we know what we think we know. Critical realist perspectives about the social world add important meanings to this thesis. Critical realism is epistemologically relativist, but not ontologically relativist, which allows that knowledge can and should be contested, but that what is contested is not necessarily untrue. Many writers note that every researcher speaks from within a particular interpretive standpoint that shapes their research (see e.g. Alderson and Morrow, 2004; Denzin and Lincoln, 2000a; Fraser *et al*, 2004). The term reality concerns the longstanding debate about the relationship between the facts and values that stems from the differences in ontology and epistemology about the social world. Yet the debates over social science methodologies have been mainly concerned with epistemology and how valid knowledge can be achieved. Importantly for this thesis, critical realism is more concerned with ontology than the above three approaches.

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<sup>18</sup> For (although contested) some compatibility of critical realism and Marxist critical approach is acknowledged, the critical approach principally refers to the Nietzschean critical approach in this thesis.

Critical realism is primarily a philosophy of the natural and social sciences, and moves beyond positivism on epistemological grounds and beyond Interpretive and critical approaches on ontological grounds. For critical realists, the dialectic between the ontology and epistemology brings about constant refinement, with neither the staged progress toward the last and true development, as positivists understand, nor the replacement of truth with another truth in the way Foucault argued. Critical realism emphasises that ontology and epistemology are not reducible to each other. In effect critical realism rejects any form of reductionism. This section compares critical realism with the above three approaches in terms of ontology and epistemology. Then I will review the key concepts developed in dialectical critical realism that form my analytical framework for this thesis.

### **5.5.1 Critical realist ontology**

For critical realism, ontology provides 'a set of conditionally necessary truths about our ordinary world as investigated by science' (Bhaskar, 2008a: 52). In both the social and the natural realms, there are two kinds of objects in scientific knowledge. Bhaskar (2008a) concentrates on the distinction between intransitive and transitive dimensions of an object (ID and TD hereafter), instead of between the natural and the social sciences. Intransitive objects of knowledge exist and act independently of our knowledge of them. Transitive objects of knowledge on the other hand are theories and perceptions about the ID (Bhaskar, 2008a: 21-24). Bhaskar's distinction broadens and shares methodologies between natural and social sciences by pointing out the limits of both empirical positivist realism, and the Kantian transcendental idealism, upon which Interpretivist and critical approaches are often based. Thus Bhaskar (2008a) rejects the positivist approach to the social world, which regards reality as consisting of observable conjunctions of events and regularities that have no structures or powers, and instead Bhaskar sees the realities as consisting of the real, the actual and the empirical domains. The domain of the empirical refers to observable events. The domain of the actual is about the events that occur independently of our experience of them. The domain of real objects consists of certain structures qua process. In virtue of these structures, things possess causal powers that bring about certain kinds of change. However, this causality may or may

not be exercised. When it is exercised, its effects are either actualised or unactualised (tendencies). Internally related elements or properties that form structure are generative, and they can either enable or constrain the effects of power. The transfactuality relates to tendencies of structures that point towards the possibility of unactualised, but exercised powers. Tendencies are about the exercised powers themselves and not the results of the powers (more on this in Section 5.5.2 and Chapters 7 to 9). Critical realist ontology is thus different from the major approaches, for it recognises generative mechanisms, from which experiences (including morality, emotions and pain), observable and unobservable events and concepts emerge.

Important features of critical realist ontology can be summarised as follows:

- Be it natural or social, the world exists independently of concepts (knowledge) we attach to it;
- Knowledge consists of intransitive and transitive dimensions;
- The world is stratified into the real, the actual, and the empirical realms;
- The stratified nature of natural necessity enables the universality of generative mechanisms together with the intransitivity and transfactuality of the objects we study.
- Mechanisms and causal powers operate within open systems; and
- The objects we study consist of emerging properties, and this leaves us with the essences that are differentiated and changing, instead of being uniform and fixed (Outhwaite, 1987; Sayer, 2000: 87-89).

### **5.5.2 Critical realist epistemology**

Critical realism critiques positivism as a shallow, naive and empirically realist or actualist ontology and epistemology (Bhaskar, 1998; Blaikie, 2007: 14-15; Collier, 1994: 7-11). The positivist approach views society as an objective phenomenon that can simply be studied empirically. Actualism is a version of positivism that denies the existence of underlying structures. However, Bhaskar (2008a) argues that such an epistemology is incoherent and that it commits the fallacy of ignoring how epistemology mediates the objects of study, and how actualism generalises about the phenomena and causality based on invariance of sensed surface events instead of underlying structures. The Interpretive and critical approaches, on the other hand, acknowledges the mediating epistemology and human construction. The critical approach argues, adding to this Interpretive view of society as construction, that society can be transformed freely through people's unhindered understanding of

context specific structures and processes (Comstock, 1994: 372), of which they are part. However, these latter approaches also commit the epistemic fallacy by reducing the world (ontology) to the level of meaning (epistemology), while making materiality implicit or bracketing it off from the social world (see Bhaskar 2008a). This stems from the assumed division between the natural and the social world that indicates Interpretivism's ultimate commitment to empiricism for the natural world, while dismissing the embodied nature of the social world (Bhaskar, 1998). Critical realism recognises the importance of the idea of understanding, which involves the limits of reason and our knowledge about truths, while not abandoning the causal explanation, although changes in ideas alone do not achieve changes in our lives.

It is often argued that positivists aim at explanation, and non-positivists are interested in understanding. Both of them fall into the epistemic fallacy of confusing ontology with epistemology. While positivism reduces its ontology to epistemology by conferring on objects and knowledge of objects a neutral objective status (there is nothing behind what you see), and ignoring the mediating epistemology, Interpretive and critical approaches tend to accept no essence, but instead confer fluidity on people, realities and social relations, seeing the social worlds we study wholly as constructions. Positivism is foremost concerned with the epistemology of the natural sciences, which assumes the separation of the subject from the object and hence the capability of producing unbiased accounts obtained through sensory perceptions. In social science, Durkheim, for example, argued that a researcher should study the effects of social reality, for the social facts that shape our behaviours are intangible. The positivists argue that laws can be inferred from relations between events. However, as reviewed earlier, Interpretive and critical approaches reject the idea of unbiased knowledge. They often reject the positivist belief in universalism and the role of reason as causes (associated with conceptual realism) shared by most structuralists. Constructionist epistemology argues that all knowledge is mediated by our concepts and meanings, and that a researcher should seek to understand the shared meanings and interpret them (compare with Bhaskar, 1998; Blaikie, 2007).

In contrast, critical realism, based on its understanding of stratified and differentiated reality, argues that our knowledge about the reality is fallible, but there are theories and methodologies that can inform us about the reality – judgemental rationality (Archer *et al*, 1998: xi). Thus we can make references to some aspects of (material) objects. However, this critical realist mode of explanation (or *explanandum*) is not the same as prediction, because that is considered possible only in closed systems, for example in experiments (Bhaskar, 1998). The social objects are emergent of material and discursive relations that can be divided into the external or contingent relations and the internal or necessary relations, from which researchers build conceptual models that might underpin the substantial and non-substantial phenomena. Critical realism argues that empirically observable phenomena are not exhaustive of reality, but can help us to identify the deep structure (Bhaskar, 2008a). The task of researchers is to disentangle these complex relations that are constitutive of structures in open systems.

### **5.5.3 Validity, generality and objectivity**

As has been mentioned above, the positivist methodology is based on naive realism and empiricism. It makes claims to truth through unmediated observation of empirical phenomena that can establish the laws of nature, which are applicable independently of their context. Interpretivism and the critical approach are commonly based on idealist ontology and constructivism, which try to understand social objects through flexible research design that accommodates the mediated nature of such objects and the subjectivity that each actor (including the researcher) brings into the research. They emphasise the context, unlike positivist methodology. These approaches were developed in efforts to address the problems of validity, generality and objectivity in the processes of gaining knowledge about the subject matter, and are complicated by the traditional dichotomies of natural/social or nature/culture, body/mind, structure/agency, universal/local and so on, in science. Critical realist understanding of knowledge, that involves stratification (pertains to depth), differentiation (pertains to transfactuality) and change (absence qua process), in reality provides a different way in which we can understand and explain the social by explicitly rejecting the dichotomies that have been repeatedly discussed and re-emphasised by the three dominant approaches. In view of this, the problems of

validity, generality and objectivity in social science research are illustrated here. The next section shows how these problems are related to each other and also to the problem of 'bias' in research. It then shows how the critical realist perspective helps to formulate the ways in which more viable methods and analysis can gain access to knowledge about the social world that we try to understand and explain.

Validity in qualitative research often refers to accuracy of the data. However, for the Interpretive and critical researchers, validity does not mean whether the data is a true picture of the person or phenomenon under investigation as many positivist researchers suggest (Hammersley, 1987). For constructivism, validity or accuracy concerns whether it is a balanced account of the phenomenon (Gillham, 2005: 7), which, in Guba and Lincoln's word, is 'fairness' achieved by presenting all stakeholders' views, concerns, and perspectives (2005: 207), because the participants are the only ones who can legitimately judge whether the findings are 'valid' (Guba and Lincoln, 1989: 238-241; Simco and Warin, 1997: 662). As Winter (2000) argues, 'truth' in Interpretive traditions is not singular and universal, whereas the traditional criteria for validity have their roots in a positivist tradition. The most common distinction relating to validity is that between internal and external validity. Internal validity is concerned with causality in positivism, but causality is not essential in constructionist or in critical approaches as has been explained earlier. External validity is concerned with whether the findings are applicable to other situations. This is also called generalisability, which is considered of little importance to some constructionist and critical researchers. Interpretive traditions argue that validity of research is contingent upon the processes and intentions of particular methodologies and projects.

Related to this is reliability that is essentially concerned with whether the same findings can be obtained repeatedly if a researcher could observe the same thing/phenomenon again. Many researchers primarily concerned with understanding deny the common definition of reliability or replicability or generalisability in this positivist sense (Guba and Lincoln, 1989: 242). This is also associated with prediction in social research. To address this problem of reliability and prediction, a positivist

researcher may be required to standardise the environment of the research. However, non-positivists argue that the sort of naturalist methods, which would affect the position of the researcher in the setting (in addition to the fact that there are the researcher and the researched), further 'alienate the researcher' from the setting (Sarantakos, 2005: 90). Thus for a researcher concerned with understanding, the pursuit of reliability would be counter-productive. Generally, qualitative researchers believe that replicability and generalisability are neither useful nor possible in complex social worlds. However, this raises questions about the purpose of research if the knowledge gained cannot be applied beyond the specific research topic.

In short, these problems explicitly concern problems of bias in research that influences objectivity. Thus the debates generally revolve around the ways in which we can justify knowledge by reducing the bias, without compromising ethical issues that inevitably arise in any research (considered in Chapter 6). The above problems thus relate to the role of both the researcher and the researched in each methodology. The objects studied – the people, setting, and what incidents and aspects of behaviour or experiences are depicted and left out – and the interpretations given to the findings are determined by the researcher (e.g. Brunskell 1998; Henn *et al*, 2006; and Winter, 2000). Very often researchers are motivated by certain objectives, and it is not possible or necessary to eradicate political or practical commitments (Humphries, 1997; compare with Hammersley and Gomm, 1997). This subjectivity, which is influenced by the researcher's gender, age, social status, and so forth, is denied by positivist researchers. Nevertheless, it influences the way in which those who are researched consciously or unconsciously behave or speak, particularly if the researcher is studying a sensitive area. Interpretive researchers argue that these problems can be addressed by triangulation, developing rapport with those whom you are studying, and being reflexive about these problems (see Denzin and Lincoln, 2000b; 2005). Thus Interpretive and critical researchers try to exhibit reflexivity about the part played by researchers (and the researched), which help to construct more truthful accounts of the objects within the limit of epistemologies associated with non-realist ontology. Many positivist as well as non-positivist researchers recognise



that a range of data collected/generated within research, including 'hard' or quantitative data, have a certain degree of reliability and validity, although the definitions of these terms vary. It is generally agreed that addressing sources of bias, not with supposedly complete objectivity but in terms of avoiding unfairly or misleadingly selective research, interpretation and reports, helps to support the findings and hence the aims of the said social research. Being reflexive is 'to recognise and acknowledge that the research cannot be value free' (Bryman, 2004: 22) and to show 'how accounts recognise that the construction of knowledge takes place in the world and not apart from it' (Smyth and Shacklock, 1998: 7). That is to show how data are 'produced and not found' (Simon and Dippo, 1986: 200). My observations and interviews with a range of children and adults constantly raised questions about validity, generalisability and fairness to the different perspectives.

#### **5.5.4 What does critical realism add to the analysis of the problems?**

Positivism's claim to objectivity through unmediated observation was criticised by both Interpretive and critical approaches, which accept that all knowledge is mediated. Instead some researchers within these approaches argue that objectivity and generalisability can be achieved through reflexivity. However, their claims are rather weak, for their methodological orientations still entail and re-emphasise the dilemmas between, for example, mind/body, structure/agency (or the dominant/the dominated) and universal/local, that bring us back to the problems we try to address. Critical realism claims that its methodology offers a way to reconcile these problems.

In critical realism, generalisability stems from the identification of fundamental properties and structures. It derives neither from the actualist universal law that pays no attention to context, nor to idealist abstract universalisability. Nor does it need to draw generality by equipping itself with the mind/body dichotomy. The three earlier approaches aim to describe, explain and understand universality at the cost of its content. Critical realism criticises positivism for its flat ontology and denied epistemology (for example, people's beliefs and feelings about punishment), and it criticises Interpretivism and critical approaches for insufficiently recognising ontology (for example, the pain of punishment), and for disembodiment of human agency (for example, in perceiving agency as the transcendent possibility of freedom to believe

whatever the disembodied mind allows us to). Punishment could then be seen as pain and shame which the child could potentially ignore, and as a method of discipline, which teachers are entirely free to choose whether to use or not. Critical realism's view of the stratified and differentiated nature of the world claims that generality refers to 'the more or less universal preconditions for an object to be what it is' (Danermark *et al*, 2002: 77), which is often the unobservable 'essence' of things (Bhaskar, 2008a: 88). This indicates that the research design does not need to involve large samples to draw conclusions from. The social research does not need to commit itself to cultural relativism as a result of denying the materiality and objectivity in the social world. Rather, critical realist ontology indicates that social structures and their meanings are in the processes of refinement and that individuals as agents participate in the processes that pre-exist them (as individuals). Yet by virtue of structure-agency relations, the existence of social structures is dependent on human activities. Thus, for example, culture, such as traditions of physical punishment in schools, can be seen as flexible deep reality, which is not merely 'out there' independently of people, but which constantly constrains people and nevertheless entails generality.

Critical realism's analysis of causation at the level of the real explicitly rejects the view of reliability that involves regularities of events at the level of empirical (Bhaskar, 2008a). However, it must be noted that reliability also refers to transferability (hence a form of external validity mentioned above). This would include some routines, conditions, beliefs and structures that are applicable to many other settings. The stratified nature of the world introduces the causal powers/liabilities in objects. In this view, objects and people exist within structures but are not reducible to them. Structures are also objects of study, and although they are realised through human agency they are not reducible to human agents. The ontology acknowledges internal relations, which involve emergent powers that can be exercised provided other conditions are present. They are transfactually efficacious. Therefore, what a researcher should look for in terms of reliability is causal mechanisms or structures and the ways in which these mechanisms work, and the conditions that activate the causal powers. These conditions that activate the mechanisms can be both intrinsic

and extrinsic. Therefore accuracy of data or validity needs not to correspond to what appears in the empirical domain. This means that instead of abandoning the causes themselves as objects in social life, a researcher can and ought to account for unobservable features of social life that surface empirically as the effects of power, such as inequalities between children and adults, in order to bring about real change.

Most importantly, these problems of epistemology in social research are primarily normative issues. Non-positivists argue that one needs to be clear about a researcher's theoretical and methodological orientations not only for the sake of what is called objectivity but also for the sake of fairness. As has been seen, positivists see knowledge as reflections of objects, while Interpretive and critical approaches talk about knowledge as if it is mere reflections of the knowers' beliefs and values (Sayer, 2000: 33-35). This pertains to the dichotomies such as fact/value and subject/object. Thus according to critical realism's formulation, fairness cannot be properly achieved through analyses based on fact/value and/or subject/object distinctions, because the separations leave 'fairness' and 'balance' rather empty to start with. Reflexivity is not merely about researchers referring back to themselves, but also about referring back to the vertical and horizontal depths of reality ('essence', Bhaskar, 2008a), from which researchers can derive the ethical stance and be reflexive about the process of their research. Critical realism argues that mediation of knowledge should not leave us in a moral vacuum. The realisation of mediated dimensions of knowledge does not license the researcher to abandon reflexivity. The critical realist approach argues that our knowledge of moral truth is contained in our knowledge about the world, and researchers move between fact and value, subject and object and 'is' and 'ought' towards fairer and more balanced understandings and explanations (see Bhaskar, 2008b: especially 259).

## **5.6 Dialectical critical realism – key concepts for analysis**

Section 5.5 focused on the explanation of critical realist views of ontology and epistemology. Based on this understanding of the world that is stratified and differentiated, necessitated by causal powers and generative mechanisms, Bhaskar (2008b) further developed what is called Dialectical Critical Realism (DCR). The ontology of social being as agency constitutive of its relations with four general

dimensions adds further depth to the ontology explained above (see Section 5.5). This denotes the nature of individual human beings as emergent totalities, and links to the above-described problem of agency/structure dichotomy (Bhaskar, 2008b: 85).

Moreover, the critical realist account of the relations between agency-structure based on the concept of the four-planar social being leads the dialectic of agency-structure to establish embodied agents capable of transformative praxis through the critical realist concept of absence that run through what is called MELD. The latter processes of dialectics include the effects of the agency/structure and mind/body duals permeated by (two forms of) power alongside the critical realist account of freedom. Based on Bhaskar (2008b) and Norrie (2010) this section first explains concepts of four-planar social being as an account of individual human being. It then illustrates MELD, and relations between power, absence and freedom to prepare the grounds for the analysis in Chapter 7-9.

#### **5.6.1 Four-planar social being as human nature: embodied universal-individual dialectics**

Four-planar social being in nature is characterised by planes (or levels that imply the spatio-temporality of objects) of:

- 1) material transactions with nature (as a biological embodied organism);
- 2) interpersonal relations between agents (through a child's family, city, school);
- 3) social relations proper, defining the level of social institutions, structures and forms; and
- 4) the stratification of the personality or intra-personal relations (see esp. Bhaskar, 2008b: 398; Hartwig, 2007: 243-244; Norrie, 2010: 115-116).

The four planes are 'inter- and intra-connected', and subject to multiple determinations (Norrie, 2010: 116). They embrace relationality or dialectics between, for example subject-object, real-actual and agency-structure, and provide a way to remedy problems emanating from the common dichotomies between, for example, individualism and collectivism (Bhaskar, 2002; 2008b; see Chapter 2). This is not a denial of individuality or of social structures that pre-exist us. DCR argues that social being or human nature needs to be understood in terms of the above four planes (1)-(4), which are necessary to fully comprehend any social event (Bhaskar, 2002: 22). Moreover, Bhaskar argues that although relations themselves are non-empirical in principle, they can be ascribed as causally real by their effects on material things (1998:30). For example, relations have real effects on children and children can make

changes to their family members and environment. Thus relations are 'sui generis real' and exist in the world (*ibid.*). Thus as explained above social structures do not exist independently of human activities.

As material beings, human beings are dependent on and influenced by external conditions and objects in order to exercise and/or actualise our potentials. For example, in the material plane, which is 'non-human but partially socialised' (Bhaskar, 2008b: 258), we need access to water, housing, adequate climate for human activities, and so on. As social beings, we are (materially and emotionally) dependent upon and influenced by each other – other agents as well as social institutions, organisations and so forth, which are historically specific. We are also constituted by our unique individuality (Bhaskar, 2009: 207-209). Each plane has forms of potential freedom or suffering, for each entails different forms of power, and we 'are subject to the same general determinations' (i.e. four planes). This human nature or four-planar social being (as embodied and emergent totalities) characterised by multiple, yet common general determinations (*ibid.*) can be understood as a framework that sets a ground for embodied universality in/of individuals or what Bhaskar calls the concrete universal that is processual, mediated and stratified. It also contains the effects of negativity (see MELD below), explicitly adding spatio-temporality, and thus anticipates the possibilities of agency and ethics as emergent of the concrete universal.

In another words, human beings as concrete singulars 'are located in their concrete universality...at the point of mediation provided by the four planes of human beings' (Norrie, 2010: 116). In view of this ontology of social beings, Bhaskar defines different forms of power relation. Power<sub>1</sub> is the capacity to act in a certain way, and is 'intrinsic to the concept of agency as such', while socially constituted power<sub>2</sub> is characterised by relations of domination (Bhaskar, 2008b: 153). By virtue of causality of power<sub>1</sub>, all power<sub>2</sub> relations are power<sub>1</sub> relations (but not vice versa). Power<sub>1</sub> relations operate in plane 1, power<sub>2</sub> operate in planes 2-3 (and 4), although power<sub>2</sub> may be mediated by the plane 1 (2008b: 161). For instance, in plane 1, we may experience, floods, typhoons and earthquakes. Plane 1 may mediate the power<sub>2</sub> relations in ways that

disadvantage some people over others. Within our relations with others (plane 2), we experience a sense of morality. We also experience social norms in our relation with plane 3. We experience motivation, encouragement, fear and sadness in plane 4. The experiences in the four planes influence our identities and our relations to each of the four planes in turn.

According to Bhaskar, in the world permeated by the power<sub>2</sub> relations, we are 'alienated at all four levels of our social being'. Realisation of freedom 'consists in the transformation or replacement of unneeded, unwanted and oppressive sources of determination, or structures, by needed, wanted and empowering ones' (Bhaskar, 1991: 145). Bhaskar (2008b) argues that self-alienation is the root cause of the social ills and that we cannot remove the ills in the other three dimensions of social beings unless we are free as the concrete singulars that start from 'the most ordinary desire' as the self (Bhaskar, 2002: 23). The concrete universal is thus mediated by the concrete singular, which is also constituted by the four planes.

The concept of the concrete universal  $\leftrightarrow$  singular in terms of four-planar social being can help to support the universality of human rights as the equal entitlement of each and all, including children (more on this in section 5.6.2 and Chapter 9). This can be made possible by showing how humans are embodied, socially and naturally embedded, and how the four planes are inter- and intra- connected with each other, and to each person's pursuit of freedom as the concrete singular, that leads to the flourishing of all and not to egoistic ends. The concept of four-planar social being establishes (although not exclusively) that human nature is constitutive of relationality, namely an ontology of emergence, which is differentiating and changing. We are the bearers of relations (Bhaskar, 2002: 19-20). This thesis focuses on four-planar social being's aspect of stratification as product in order to identify alterity or non-being that anticipates absence. The next section explains the dialectical critical realism's account of 'absenting' processes to the transformation or removal of absence. Section 5.6.2 also addresses why and how the concrete universal  $\leftrightarrow$  singular moments in terms of four-planar social beings is appropriate for the analysis.

### 5.6.2 MELD – from absence to freedom

As reviewed in Section 4.5, Hegel (1942) regards individuals as secondary to the universal. He reduces the specific and unique singular – individual – to the demands of abstract universality of reason. This leaves the concept of universal morality an empty object. However, for Bhaskar (2008b), the universal is mediated by the specific, processual and stratified individual (i.e. concrete singularity) (Section 5.2.1). Bhaskar sets a ground for the concrete universal that supports the intransitive dimension of morality without submitting to cultural relativism (see Sections 2.4 and 2.5). However, the idea of four-planar social beings alone does not explain how the concrete singulars do or do not come to realise (transfactual) freedom (i.e. processes of the concrete universal  $\leftrightarrow$  singular) as human agency irreducible to structure (and vice versa). This section briefly explains MELD before moving on to the next section, which illustrates how MELD can help to understand human agency and power relations.

The concrete universal  $\leftrightarrow$  singular is essentially a 3L third level category, but it is also presupposed at 1M first moment, 2E second edge, and 4D fourth dimension. Each stage of MELD is explained in relation to the effects of power<sub>2</sub> mentioned above in order to show how MELD can help to critically analyse the social world currently dominated by unequal relations in order to deepen our ethical understandings and commitments to seek out the possibilities to change or to 'absent' such relations.

1M is grounded in the critical realist ontology, which is characterised by stratification, intransitivity, emergence and differentiation (see Section 5.5). Within 1M, there exist the dialectics of, for example, agency-structure and mechanisms-events (see esp. Bhaskar, 2008a: 237). 1M is defined as *product*, understood in terms of alterity and hence a *state* or *status* of what it is not (non-identity) hence detachment of object from subject (referential detachment, which constitutes the transitivity/intransitivity distinction of ontology). Non-identity or real difference at 1M provides the critical realist ontology of objects, which exist independently of our understanding of them in natural and social worlds, as a starting point (first moment). The MELD processes to freedom include the effects of the structure/agency, mind/body, and reason or

rationality/emotion dualisms found in the social world permeated by power<sub>2</sub> that alienates the agents at all four planes by virtue of power<sub>1</sub> that contains power<sub>2</sub>. At 1M, power<sub>2</sub> relations typically assume destratified being (epistemic fallacy) and exclude what the object of study is not from its ontology altogether (effects of this tendency are explicated in Chapters 7-9). The state/status of what the object is not then gives rise to the 2E moment of absence as *process* through desire to absent the lack, need or want - what it is not.

Absence entails the possibility (i.e. liability or capacity) both of alienation from ourselves as well as capacity for freedom. These normatively both negative and positive aspects of absence are part of natural necessity. While absence is essential to 1M ontology, and analytically prior to processes of 2E, it is a 2E negativity category - being away from what the object of study is. 1M's emphasis on what exists prior to our understanding of the object is mediated by particular geo-historical emergence including power<sub>2</sub> in the second moment. 2E accentuates the *process* of mediation by the particular rather than the *outcome* of mediation. Absence (non-being) in being is revealed as negativity at 2E, which brings a moment of being as becoming and/or being, which is 'thrown' in particular spatio-temporality. Individual experiences of desire to absent are the edge of absencing processes in the person's social relations. Thus the 2E moment is a starting point at which experiences of real absence bring about the dialectisation of critical realism including dialectics of (embodied) agency-structure. Further, Norrie (2010: 139-140) thus describes 2E (and 1M) as a moment of both individual desire and (opening point) of trust and solidarity, for desire also arises out of recognition of our dependence on others (primarily at 3L) (see Bhaskar, 2008b). The discourse that dictates the power<sub>2</sub>, however, denies this negativity and sociability of reason-emotion to act. Instead it views emotion as related to the ego.

At 3L detotalisation or splits (i.e. absence of connections) may be led by the negation of negativity or possibility of change in the object of study's geo-historicity at 2E. A power<sub>2</sub> relation that is sustained by the ideology of exclusion is thus in a social world, in which the 'asocial' dominant is understood as 'autonomous' and 'rational' individuals, who can abstractly 'transcend' the historically specific aspect of human



nature. This absence of necessary connections through abstraction from the geo-historicity or mediation introduces the series of splits: e.g. mind/body, reason/emotion, individual/social, and agents/structure. Emotional individuals are stripped of their capacity to care for others thereby alienating the self from others (plane 2). DCR's processuality, sociability, and reason to act at 2E instead locate individual's everyday interactions with differently situated others in a network of connections at 3L. The connection or mediation between the self and the other refers to a human nature or a concrete universal  $\leftrightarrow$  singular, and emphasises our capacity to care for others. This capacity contained in the open totality (or constellationality) is still a *process-in-product* (see especially Bhaskar, 2008b: 305-7).

4D denotes that understanding 3L *process-in-product* helps to change or transform the world at 4D. The deagentified individuals are typically alienated from their materiality and nature (plane 1) as well as from other planes, and become unable to act to absent the absence, for (metacritically) individuals are 'freed' from their own embodiment (i.e. out of touch with the self, the social relations, the others and nature). The capacity for transformation is typically denied at 4D in power<sub>2</sub> relations, whereas transformative agents (*product-in-process*) are capable of intentional actions to transform in order to realise their capacity to freedom (1M). According to Hartwig (2007: 32), '[w]e humans have a fundamental desire and need (hence right) to experience at-oneness with the natural world and our labour process (4D), each other (3L), our social relations (2E), and ultimately our essential selves, inner and outer...(1M)'.

### **5.6.3 Power and the axiology of freedom through absence**

As Chapter 4 briefly touched upon, debates over power tend to focus on power as a form of domination. Lukes discusses power in the social world as 'power over another or others' or 'power as domination' (emphasis in original) (2005: 13). His focus is on the ways in which the powerful secure the (willing) compliance of those they dominate. Luke's (2005) three-dimensional power can be summed up as follows. Power is A's capacities to: 1) make B to do something that B would not otherwise do by ways that may involve coercion, violence, persuasion; 2) exclude potential subject areas of conflicts or possible choices to gain B's compliance; and 3) make B

consciously or unconsciously participate in and maintain the social structures through which B is socialised into values that serve A's interests, but conflict with B's real interests. Lukes states that '[p]ower is a capacity not the exercise of that capacity (it may never be, and *never need to be* [italics added], exercised); and you can be powerful by satisfying and advancing others' interests: power as domination is only one species of power' (2005: 13).

This view claims to distinguish itself from Foucault's view of power (see Chapter 4), and seems to be compatible with Bhaskar's power<sub>2</sub> relations. However, this view too does not seem to offer an appropriate account of power. Lukes (2005) argues that power is a capacity. He also argues that 'power relations are characterised by multiple interests', and that a form of power (or power<sub>2</sub> in Bhaskarian term) can lead the dominated to have certain beliefs and desires in coercive and non-coercive settings (Lukes, 2005: 14). However, Lukes (2005) fails to account for power<sub>1</sub> by asserting that capacity 'never need to be, exercised', although he touches upon a sort of power that can advance others' interests. Lukes (*ibid.*) overlooks the aspect of power as possibilities implicated in the axiological chain of absence that (tendentially) leads to praxis (4D) thence to concrete universality (1M) (see Bhaskar, 2008b: 153). Bhaskar (2008b) explicitly establishes the ontology of power: necessities of power that enable, transform, and free humans from social ills through the concept of absence in relation to the four planes (the axiological chain of freedom).

DCR ontology presupposes the desire to absent absences coupled with negativity and negation as processes of intentional agential action (the axiology of freedom). DCR ontology indicates that absence is prior to presence (Bhaskar, 2008), and that absence is ontologically real. The absence on its own however does not necessarily imply its normative quality. Thus Bhaskar (1991: 126) says:

Think of...the monsoon which doesn't come which makes the crops perish, the inconsolable loss of the bereaved one.

Absence of food in a classroom, for example, makes a normative difference when it is described as absence of food in a classroom in Dar, where students' access to water and food in school is constrained. Many students do not have enough money to buy

(enough or any) snack during the mid-day break from the school vendors, who sell deep fried *mihogo* (cassava), small mangoes, *ubuyu* (coloured baobabu fruit), coloured drinks or packed water, chips, doughnuts, etc. The relative lack of food keeps the students tired and relatively quiet. Some students come to school even without breakfast. Many schools in the minority world, on the other hand, are concerned with cutting down sugar, salt and fat in foods to prevent childhood obesity and/or hyperactive behaviour in classrooms. Abundance of food is seen as a problem that brings about new categories of 'disorders' and 'diseases' in childhood.

Significance of absence exists especially in its causal effects relevant to four-planar social beings in processes rather than absence per se. DCR explanations of an object can involve some or all of these inter- and intra-connected planes. Moreover these planes may be coupled by different levels of explanations (e.g. plane 4 at biographical level).

Absence in DCR means both '(evaluatively neutral) absence and the (pejorative) ill'. Absence is a state of being, a mode of being/becoming and also an intentional action to change (Bhaskar, 2008b: 238), particularly absences as ills. Moreover Bhaskar states of the mechanism to achieve emancipation of the oppressed in power<sub>2</sub> relations, that it 'is informed desire that drives praxis on,' for 'knowledge is intrinsic to power' (2008: 169) (compare with Foucault, 1980). This connection between TD and ID of knowledge and their emergent causality supports the critical realist criticism of 'epistemic fallacy' (Section 5.5), which is nevertheless 'causally *aefficacious*' (i.e. both affective and effective powers. See Bhaskar, 2000: 4). Misinformed desire (as effects of power<sub>2</sub> relations) in the absence of true knowledge or ills generally, destratifies, denegates, demoralises and deagentifies individuals at all four planes (alienation). 1M-4D is thus a set of dialectical processes to freedom as the absence of the ills. Bhaskar adds further that processes of negativity can also be found in concepts such as 'the margin, the void, the hidden, the empty, the anterior, the exterior, the excluded, the omitted, the forgotten and the feared' (2008b: 238). Identification of such negativities that contain generative power at 2E and the ontology of freedom found in the 1M-4D process in our everyday life in four planes

suggest the ways in which we can address the social ills as praxis as well as universal condition.

Relationships amongst the above key DCR concepts can be summarised as:

- The concrete universal can be understood in terms of four planes
- The concrete universal is constituted by the MELD moments
- The four-planar social being embraces the MELD moments
- The concrete universal is mediated by the concrete singular
- The concrete singular is also constituted by the four planes and the MELD
- Hence the concrete universal  $\leftrightarrow$  singular dialectics are established
- Four-planar social being and MELD support the intransitive dimension of freedom in its grounded universality instead of abstract universality

As explained above, this thesis treats the concept of four-planar social being mainly in terms of the concrete singular (product or non-identity) or human nature and/or state of being. The concept of MELD is used as a means to describe more processual relations particularly those of social status necessarily mediated by the time, space, and untrue/true knowledge of suffering/freedom.

### **5.7 Summary: questions for the research methodology**

Critical realism's concern with ethics (to be addressed in the Chapter 7 and 8) can be primarily found in Bhaskar's dialectical work (1994; 2008b). Critical realism argues against any form of reductionism. Thus it provides a methodological basis to argue against the above identified reason/emotion, agency/structure (or individual/social), adult/child, mind/body, (see Chapters 2-4) divisions that are present in the positivist and Interpretivist approaches.

Critical realism suggests that there are moral properties that potentially lead us to the answers to questions such as 'is it wrong to use corporal punishment against children?' Bhaskar argues that ethical grounds are not to be reduced to products of either the will or of experience (1994: 2008b). How does critical realism aim to look for more ethical grounds that can transcend the seeming boundaries between cultures as well as political, social and economic differences, and to be fair and balanced? How do the concepts of four-planar social being and MELD help to analyse corporal punishment of children in Tanzania and children's universal rights to be

protected from these practices? What does a critical realist account of stratified and differentiated nature of the human being tell us about the way forward? As is often acknowledged, critical realism is 'a philosophy of and for the social sciences' (Sayer, 2000: 32; compare with Outhwaite, 1987). It is a meta-theory that views social science as a means to social change (Dean *et al*, 2006). Although they do not offer specific methods (Collier, 1994; Danermark *et al*, 2002; Morrow and Brown, 1994; Sayer, 1992), the next chapter explains how critical realist perspectives can be applied to the practical methods and process of research.

## **Chapter 6 Practical approaches: methods and process**

### **6.1 Introduction**

This chapter is an overview of the practical approaches that I chose, in order to connect the research questions through relevant methods and samples to the findings and conclusions. I have come to make sense of the frames of the research processes, selected from books, articles and experiences. It was not until after nearly three years and after completing my fieldwork that I encountered (dialectical) critical realism in autumn 2008, and I began to be in tune with my rather scattered and uncertain grounds of thoughts and experiences. I became interested in looking for the grounds of justice and ethics not only in a power-knowledge analysis, which links modern rationality to subjectivity, but also in the socio-cultural aspects of our lives associated with our commonality as human beings and our embodied nature (see Chapters 2-5). The pressing problems with rationality seemed to be partly solved by Foucault's analysis, but the sense of justice and ethics offered did not strike the balance that I had in mind (see Chapters 4 and 8). I felt that the real sense of human dignity, which cannot be dismissed as idealistic or wholly situated, opportunistic or essentialist could be explored through the methodologies of critical realism. Fortunately, critical realism not only fits my chosen research method, ethnography, but also, in my view, is the only approach that can explain the UNCRC principles as ontologically real morality.

This chapter starts with a general overview of the research design, timeframe and methods employed, then explains how I gained access to the two schools, describes the fieldwork design processes and methods of data collection and analysis, the ethics. This chapter also intends to show how the critical realist approach can help to explain some of my own experiences as a researcher constituted of emerging properties in different settings.

### **6.2 Designing the research**

This thesis aims to understand and explain ideas and methods of corporal punishment of children in Tanzania. It considers why and how these ideas and methods are supported or are changing (or not changing), and if indeed they need to

be changed. The topic raises questions. What are the differences between the rights and status of adults and of children? Is corporal punishment of children, in universal moral terms, inhuman, degrading and cruel, and a violation of human rights? And are these terms indeed universal? Alternatively, does corporal punishment of children prevent moral decline and disruption to social order in families and schools through necessary discipline, control and socialisation of children and respect for local socio-cultural traditions (see Ntukula and Liljestrom, 2004)? Are morals indeed deteriorating, and the social order being disrupted by children's disobedience? Does the punitive status quo have to be - and can it be - maintained in order to prevent such circumstances? Moreover, are children naturally irrational, incompetent, and requiring intensive adult-supervision? Are these 'facts' of social life? And why do we focus on children and assume that children are at fault but not adults?

The themes and methods for data collection were thus based on critical-emancipatory frameworks with the objective of grounding children's rights in a concrete setting. The objective was not to explain universal patterns, nor to test hypotheses. It was more oriented towards describing and understanding social life from the participants' perspectives, and to revealing generalisable underlying structures to explain the particular observations.

I found qualitatively oriented ethnographic case study an appropriate approach. Ethnographic approaches comfortably link with the critical realism methodology (see 5.6) that distinguishes transitive and intransitive dimensions of the objects, which allows a researcher to pursue ethics grounded in socio-historical conditions. Ethnography is commonly understood as a way to enter into the concrete situations (Creswell, 2007; Fife, 2005; Gillham, 2005). It traditionally focuses on cultural meanings and has been associated with anthropology (Heyl, 2001; Wolcott, 2007). Traditional anthropology has often treated children merely as a part of a homogeneous society under study. However newer approaches to childhood as reviewed in Chapter 3, employ ethnography in different ways. Some try to examine children in their own light (James, 2001; Kellett, Robinson and Burr, 2004) to explore diverse childhoods (James and Prout, 1997), to respect children's standpoints and

competencies (Alderson and Morrow, 2004; Mayall, 2002), and to make children's own views and experiences accessible to adults and to other children (James, 2001). Through ethnography, I aimed to learn what children experience and also feel.

However, as Silverman argues (1993), ethnography is not limited to descriptions of everyday situations and activities. It can help us to make general statements about human social organisation (1993: 49) (also see Flyvbjerg and Sampson 2001). I think that ethnography can enable researchers to identify generalisable structures that condition (but do not determine) social situations and activities, what is going on, what is present and not present, and how we might progress, guided by the inevitable truth (see Chapter 9). This way I feel that ethnography can provide a means to understand how and why corporal punishment of children came to be perceived and practised as it is within systems in the urban primary schools in Tanzania. This perspective informed the selection of types of data, data sources, numbers of people, samples and methods.

Ethnographic case study, often employed in Interpretive and critical research, includes the following important features (from Delamont, 2007; Gillham, 2000; Griffiths, 1998; Pole and Morrison, 2003; Yin, 1989):

- It is interested in the full range of activities and settings;
- It assumes the embeddedness of such activities in social reality;
- It allows a researcher to study perceptions, meanings and emotions as well as behaviours and other observable phenomena;
- It considers the time-space particularity;
- It presupposes the existence of units in open-systems;
- It typically relies upon multiple sources of evidence; and
- The process is not linear, and it is a series of processes of going backwards and forwards throughout the research.

These features are fully compatible with the critical realist approach as described above (see Section 5.6), because ethnography provides a starting point to explanatory projects that try to articulate deep causal mechanisms (Hartwig, 2007: 186).



### **6.2.1 Summary of the time spent in schools:**

- 1) A class of first grade high school students (age 15-16) in Karatsu, Japan for two weeks (December, 2006)<sup>19</sup>
- 2) A class of sixth grade primary school students (age 12-13) in Karatsu, Japan for one month (June-July, 2007)<sup>20</sup>
- 3) A class of standards sixth/seventh (age 12-18) in two primary schools in Dar (October, 2007 - March, 2008).
- 4) Further visit to the two classes in Dar (July-August, 2008).

During each of the above four phases, I began by introducing myself to the schools, obtaining data about the physical environment, organisation and routines of the schools, and gathering the background data of each student in the class, while attending classes everyday. In the second period, I focused more on observation of teacher-student relations, distributed consent forms to teachers, parents/guardians and students and found participants for the chosen methods. In the third part, I collected data using interviews, focus groups, drawings, diaries, and photographs. In the final part, I collected more background data. I also distributed small reports and gifts to students/participants to show my appreciation for their support.

Unconstructed ethnographic observations inside and outside the classrooms or schools were conducted throughout the periods, when I also sought local and national macro-data. Although the analysis in this thesis focuses on the Tanzanian primary schools, the insights I gained during the first two phases of my study in Japan will be addressed in this chapter to highlight the significance of the ethnographic case study approach as a means of investigation.

## **6.3 Gaining access**

### **6.3.1 National and local authorities**

My fieldwork began with negotiating access. Initially, I had been informed that it would take about two months to obtain a research permit from the Commission for Science and Technology, Tanzania (COSTECH), but this took ten months and many emails. While I waited for the permit, I pursued another possibility in Japan, thinking I might never get access to Dar, but at last I was able to fly there in October 2007. Upon arrival, I made six visits to the Immigration Office in Dar, which also involved

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<sup>19</sup> Pilot study. It was conducted in Japan, for it was not possible to gain access to schools in Tanzania (or in England).

<sup>20</sup> This one-month research project was conducted mainly due to uncertainty regarding the Tanzanian research permit (see Section 6.3.1).

many days of waiting. I have described city life in some detail in order to show the background setting of the schools and my research.

I stayed in a hostel within a large Christian institution, with halls for large events, a church, schools, student halls, etc. I had stayed there the previous time I was in Tanzania (2002-03). My room had a single bed with a mosquito-net, fan, toilet (flush), wash basin next to a shower that I could never use as water never came out, a tap, a bucket and a small plastic jug, a lockable cupboard, and a desk and chair. It had a netted and fenced small window frame (no glass window) that overlooked a student hall for female (mostly) secondary school students (aged about 16-22). There was a woodcarving of Jesus Christ on the wall. In that simple and small room I spent three months, and stayed in private accommodation for four months. I knew from visiting their homes that my style of living was somewhat similar to the lives of some teachers and more comfortable than those of many students. My room was cleaned twice a week.

The fastest and cheapest way to go to COSTECH was by a local private mini bus (*daladala*). These are very common across the city. The 2002 National Census (URT) placed the Dar's population at below 2.5 million, but many observers estimate the figure at over 3 million people (Brennan and Burton, 2007). The packed *daladala* was always hot. Inside, people can be very talkative. When passengers found that I could speak Swahili (rather badly) they started conversations with me as if we had known each other for a long time. After nearly an hour's ride, the *konda* (conductor or ticket man) told me I was at the COSTECH stop. It was around lunchtime. Unsurprisingly, there was no one in the office I had to visit, but while I waited two people offered me some help. When Mr Mwaselemba returned from lunch, he dug out my file and asked about the number, type and location of schools I would like to visit. He gave me a contact at the University of Dar es Salaam, and the long-awaited permit, and instructed me to visit Ilala regional office where I was given further instructions (see Section 6.4).

The Ilala regional office was comparatively well-built, with high walls and big gate. A man who happened to sit in reception (to chat with the receptionists) took me to a room where a woman looked at my permit and told me to come back next day, because there were too few people to help me. However, I knew how relaxed they were, and that the authorities (national or local) usually give this response. By consciously (and unconsciously) connecting and locating my own experiences in, and knowledge about Tanzania and elsewhere, I understood differences amongst generative mechanisms of institutions in Tanzania, the UK or Japan. In the UK or Japan I would have followed the instruction, but in Dar I insisted that this needed to be sorted on the same day. The three of us chatted for about 30 minutes in the polite African way about families and health, and then again they told me to come back tomorrow. Reluctantly, I left the office, but I did go back in that afternoon.

There were more people in the office. The lady I met earlier kept saying I was *mjanja* (a cunning/sly/clever person), while another woman told me to marry her son. A man told me to wait in a different room. After another 30 minutes chat with the staff, he came back with three letters to be delivered by hand, one for the District Administrative Secretary (DAS), in the next door building where a lady told me to go back to where I had been sent from as the DAS was not around. However, another woman who was passing by, said she would give the letter to the DAS. I returned after an hour and found the DAS in her office but no letter had arrived. She opened another letter for COSTECH. After discussion, filling in two forms, going to yet another office and talking to more people who were all friendly, welcoming and helpful, I finally got to know names of two schools I could research. I also learned that first I had to visit the Ilala Municipal office in the city centre, which had already closed for the day at 15.30 p.m.

On the third day, I took *daladala* to the Municipal office (see Appendix 2). To explain more about the *daladala*, most people in Dar travel by it, and the *mini* bus services expanded rapidly in the 1990s. Many are Toyota Hi-Ace; some still have their previous owners' names, ranging from a kindergarten in Nagoya to (quite astonishingly for me) a small firm in my hometown. Most vans have about 15 seats, but over 25 people are

usually squeezed in by *kondas*, who collect bus fares and signal the bus drivers when to leave and stop either by striking the bus for several times or sucking their mouth loudly. *Kondas* and drivers wear navy blue uniforms, and the rule is that they must shut the door, which makes the rush hour *daladala* ride even more interesting - like a London tube train but as squeezed as the rush hour train in Tokyo, in tropical heat, and somehow the rain falls inside the roofed *daladala*. Most people do not particularly enjoy the experience, but just have to get on with this. Some women have washbasins filled with bananas, mangoes, etc. Primary and secondary school students are not normally allowed to sit on the proper seats, and not too many are (or are supposed to be) allowed onboard as they pay much less than adults (This issue has been started to be tackled and there were awareness raising campaigns on radio saying that students should be let on – more on this in Chapter 7). My large bag would be full of papers, notebooks, pens and recorder, dictionary, sometimes a laptop and seated people often offered to hold my bag until I found myself a seat. Small children get to sit on a stranger's lap, quite rightly. The conversation was never boring until a random man started asking me to marry him. Every morning and evening, I missed many buses to and from school, because I simply did not have the courage to join the fight to get on the *daladala* (it normally took me 30 minutes to find a suitable one).

So my third day started with trouble getting on a *daladala*, but after I had waited an hour at the bus stop someone, who I later found out was a taxi driver, who usually waits there for customers, walked me to another stop, got on the *daladala* and even paid for my fare. At the city centre, he made sure that I knew where I was going. At the Municipal, the person I had to see was not around, and naturally I was advised to come back next day. I went to the post office to post one of the three letters to COSTECH, which was actually like the letter I had from COSTECH. Next day, I returned to the Municipal, and was directed to an Archive Office. After a pleasant half an hour chat, I was taken to yet another office. However, the person I was supposed to meet was not around. After five minutes chat with someone else, I found out that I could start going to schools with the DAS letter. I decided to visit a school, and return to the Municipal office later.

### 6.3.2 Two primary schools

#### Selection

Although initially I had planned to visit only one school, the District Education Officer recommended two potential schools, both of which I visited. There were schools within the institution where I stayed, but I chose two other primary schools, not only for 'disinterested scholarly reasons' (Gupta and Ferguson, 1997: 11, 18), but partly for personal, practical reasons. Access was permitted by the gatekeepers. I was familiar with the areas from my previous time in Dar, and I lived fairly near the schools. However the research advantages were that they made interesting comparisons, and I wanted to research children's rights among disadvantaged groups. Both schools were in 'very Swahili' areas, with mainly lower income households (in Ilala municipal council) (see Appendix 5: Ilala municipal council socio-economic profile). The schools had different sizes and organisation of classes. Informal conversations with local people, when I said I was interested in discipline, also influenced this decision, for they all agreed with a nursery teacher (in her 20s) who said,

Go to the bigger one. It is a lot more difficult to manage and you will find situations, in which children are beaten. Smaller school would be easier for teachers to manage, and the students would be well disciplined (from my private research diary).

Later I found out how this generally accepted belief is reflected in school teachers' views about childhood and the 'necessity' of corporal punishment (see Chapter 8). In other words, the perceived 'necessity' was nevertheless real and constituted power<sub>2</sub> relations particularly between children and adults.

#### Amani School

Amani primary school in Buguruni ward was located near a lively market. The big school gate was on the busy road and school buildings were set around a well-maintained school garden (see Appendix 6: Map of Amani School). A man resting under the tree near the gate told me where the head teacher's office was, where I met a well dressed lady in her late 40's, *Mwalimu* [mwl. – teacher]) Somo. She welcomed me into her office, where there were two big desks, a sofa, a large cupboard, and a small tank for washing hands. She read my letter and permit, and we discussed term dates, my topic and research plan, our families, work and numerous other things for nearly an hour. She then called a standard six teacher, Mwl. Kasese in

her mid-30's who has three children, introduced us and asked her to help me with everything I needed, and she looked after me throughout my time there. Mwl. Somo took me to the teachers' room (see Appendices 7a and 7b: room arrangements of Umoja School), which had around 30 wooden desks for teachers, a few cupboards, a white board, a leveled area for a few buckets of water and thermo hot water pots, extra chairs, and drums used during the morning meetings, in front of a blackboard on one side of the huge room. About ten teachers were there and I was briefly introduced as a researcher from London, who has come to the school for about four months to learn about *nidhamu* (discipline). Many of them sort of giggled when they heard the word *nidhamu*. We agreed the day I would start and Mwl. Somo then kindly walked me to the gate and introduced me to a gate guard.

I returned to the Municipal office, and was kept waiting until I finally got to meet right official, but he took me to other offices, until at last, it seemed I was at a right place. I met the Municipal Education Officer, Mama Mwana. We talked about my research plan and finding the second school, and she asked me to return on Tuesday when, it turned out, she was not available. Someone else helped with a quick phone call to the school and that was how I gained access to a school five minutes walk away from the hostel.

### **Umoja school**

Umoja school (see Appendices 8a and 8b: Map of Umoja School and photograph of water well) was in Ilala Ward (in Ilala municipal), which overall seemed to be a better-planned settlement compared to Buguruni ward. The school is also opposite a large market, and is surrounded by many narrow alleyways. When I arrived, groups of women were cooking in two rooms. They were permitted to do business in the school. Both school buildings generally needed repairing and painting. The head teacher was away and the deputy, Mwl. Rubanza, warmly welcomed me and we had a discussion like the one in Amani.

Initial entry into the two schools was so much easier and less intimidating than the Japanese schools, and the delays in the Dar offices. To explain more about my

reactions in regard to access, especially in the Japanese schools, teachers' views (i.e. existing norms) about what school ought to be, how a Japanese woman in her late 20s ought to behave, and how much formality should be maintained, influenced the ways in which I conducted research in Japan, particularly because I was acutely aware of the 'hints' and 'signs' as a person who was born and grew up in Japan. Subsequently these experiences influenced all four phases of ethnography. They were mediated by all four planes.

## **6.4 The fieldwork**

### **6.4.1 School settings**

Both primary schools were in Ilala municipal, one of the three municipals (Kinondoni, Ilala and Temeke) in Dar. Ilala municipal is 273 square km, has three divisions and 22 wards, and a population of about 634,924 (URT, 2002; see Chapter 1).

The PEDP in 2002 constructed 270 new classrooms, offices and toilets (87 pit latrines), and bought 1817 desks, 39,602 books and 79 science kits in Ilala (UNDP and Ilala Municipal Council, 2004) (Appendix 9: Number of schools in each municipal in Dar). However, during my six months of observations, I saw a science teacher only twice use material other than blackboard and textbook. Communities are involved through school committees. The Municipal council planned a programme for all 98 schools in 2004, through which primary teachers were to be trained in computer skills (*ibid.*). One of the schools has an impressive computer room, but students told me that they had never touched the computers, and some teachers said they did not know anything about computers. So computers were locked inside a separate building, which was obviously better equipped than the classrooms. I met a teacher (in her 50s), from a primary school for disabled students, in a local stationers. She told me that she came there every time she needs a document to be typed and printed. She said, 'there is a very nice computer room in the school where I teach. An Indian company donated them, but there is no one who can teach computer. So the computers have never been touched. They just sit there' (from my private research diary). Both the schools I observed were next to another primary school, from which they had been divided, shortly after the PEDP was introduced.

Both schools are about 5-7 km from the city centre. Amani is in part of an old unplanned major shanty settlement, southwest of the city centre. The settlement had no improved roads, drainage or solid waste management systems until the early 1990s. Even now, in some areas there are narrow, dusty, and trashed alleyways alongside the sprawling single-storey houses (see Appendices 10a-10c: Buguruni street 1-3). Most houses (some with big iron gates and a few actually painted inside and outside) are built of sand-cement blocks. The rooms inside are very clean and fairly well maintained, with sand-cement floor and roofed with galvanised sheet metal, which makes the inside very hot when the sun shines. There are a few houses built of mud. Houses have basic facilities such as a private or shared cooking space, many people cook outside with charcoal, and a pit latrine (either shared or private) (see Figure 1: A woman preparing dinner in a compound in Buguruni). The bathroom, often built next to the toilet (or part of the toilet), is a cubicle with drainage, where you go in with a bucket of water and plastic jug to bathe – many people bathe twice a day. Electricity connection is not very reliable and not very widely available. Clean (claimed to be) water comes from vendors or neighborhood wells or taps. Tap water is not always clean, and the supply is not very reliable. People boil water and put it into buckets with lids for drinking. Informal and formal employment activities are the sources of income. Most accounts I have read about Buguruni commonly say that it is an impoverished and unsafe area (although I had never felt unsafe in the area walking around by myself – mornings and afternoons, and occasionally just before sunset).

*Figure 1: A woman preparing dinner in a compound in Buguruni*





### **6.4.2 School rolls**

The class size of standard 6 in Umoja School was around 57, and that of Amani School was over 100, very different from the developed world.

#### **Amani school**

There were 62 staff and just over 2600 students (February 2008). As there were not enough classrooms, 1<sup>st</sup>, 4<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> grade students came in the morning from 7.30 a.m. to 13.20 p.m. (1<sup>st</sup> grade left at 10.40 a.m.) and the 3<sup>rd</sup>, 4<sup>th</sup> and 5<sup>th</sup> grade students entered classrooms after 11.00 a.m. Due to classroom shortage, Amani standard 6/7 students had one lesson (40 minutes) less than other schools (see Appendix 11: School timetable). There were four streams (classes) in standard 6. I chose 6-C for my research, Mwl. Kasese's class. Each class had been academically rated, although casually, by teachers, and 6-D students were known to be the best class. Each class had around 120 students, but usually only around 90 students in 6-C were present, and there were just enough desks for them.

#### **Umoja school**

There were 35 staff and 907 students were enrolled (February 2008) a much better teacher-student ratio than at Amani. Although the official school record said that there were 3 streams for standard 6, in practice, there were two streams (due to lack of classrooms), and I observed both the 6-A and 6-B, during 2007. Each was a single sex stream of around 55 students, but in 2008 they were reorganised into mixed sex classes (in Amani, the same plan was delayed by my presence, as they thought it would be inconvenient for me, and it did not happen until after I left). The Umoja School had higher academic achievement than the Amani one (Appendix 12: Number of students took exams, pass rates, etc. Amani and Umoja). Some students who live near Amani chose to go to Umoja for this reason.

### **6.4.3 Research participants**

The number of participants in each data collection method (see Table 1) mainly depended on the options they ticked on the consent form (Appendices 13a and 13b: consent form). I tried to accommodate their preference as much as possible, taking account of age and gender. I observed whole classes, but instead of concentrating on a selected group within each class who participated in all data collection methods, I

involved nearly everyone in one or two methods only, partly to minimise my demands on their time (see Appendix 14: details of student interviewees cited in the thesis) in light of the previous two phases in Japan.

**Table 1: Number of participants in each data collection method**

Name of school		Amani		Umoja	
Stream		C		A	B
Number of students		112		55	60
Sex		F	M	F	M
Number of returned participation slip		39	27	44	42
Focus Group Interview		8 (last session 7)		8	5
Diary		7	5	6	6
Photographs		5	5	6	7
Drawings		4	4	6	7
Number of returned survey slip		50	54	54	57
Individual Interview	Students	3	3	4	4
	Teachers	8		10	
	Parents	5		6	

## 6.5 Methods of collecting data

As noted above, although I will not go into details about the Japanese schools (due to limited space), I will address some experiences from Japanese schools in order to highlight certain differences from Tanzania, the main focus of this thesis.

### 6.5.1 Observations

For anthropologists, making the strange familiar is the usual task. But school is familiar for all of us and in opposition to the task of anthropological research in culturally remote settings, the task of a school ethnographer is to make the familiar strange (Gordon, Holland and Lhelma, 2001: 188).

Observing in the Japanese primary school, very close to where I grew up, I saw the 'usual' classroom practices that I had once experienced as a child. Everything is so familiar, but strange.

School is somewhat isolated and peculiar in its existence. There are students and teachers and some other staff. Inside a classroom, one or two teachers teach a group of students for a certain amount of time. That time is not supposed to be disrupted by anyone. Before the first research visit in the secondary school, I thought that my role was rather clearly defined, but I learned that it takes a lot longer time for many

of the participants to understand my presence and to gain trust. I was neither a teacher nor a student. During lessons, for many days I sat quietly at the back during classes, but that did not help to build rapport with participants, and I learned how I could be ignoring everything as a person who has gone through it, despite finding everything strange and important as an outsider. A sense of geo-historicity (past) constitutive of the present and future self was inter-/intra-acting with the stratified self within the school setting. It was not possible for me to go 'unnoticed' or to not to notice differences between the participants and myself and the sort of person I have become having lived away from Japan for many years as an adult. The self as a biological organism continued to exist, but at the same time, I recognised a partial but real 'departure' from the past as a causal property that continues to emerge within the self as a four-planer social being.

Observation is one of the main methods of data gathering in any ethnographic study. Based on the experiences in Japanese schools, I anticipated the minimum/maximum time I could spend in the Tanzanian schools, considering the relationship with the participants, physical and emotional strain on myself as a lone researcher, budget and language. Later during the fieldwork, some students summed up my in-between (students and teachers) position that often (but not always) helped me to build rapport and trust.

We were not sure if she understood everything in Swahili at the beginning. Her Swahili was very good after about two months. We called her *mwaliimu* (teacher) at first, but then we just called her *dada* (sister) or Tamaki. She looks younger than our teacher, but not a student. She sits in a classroom with her notebook and pen, scribbling something into her notebook, watching us. She told us she could be the same age as our mother, but our teacher told us she was 18. She goes to a university in London. She says she is Japanese, but she doesn't have a car. She looks different from us. She asks us questions and answers our questions. She asked us to participate in her works. She comes to school almost everyday. She is not going to stay here forever. I want to go to Japan with her.

My observations (see Table 2: time spend in Dar [observation] phase 3) mainly focussed on people and their activities in reference to possible feelings that they might have been experiencing in schools. I often took notes of activities as they occurred. I rarely intervened in their activities, but I must admit that I sometimes did (e.g. stopping students' fights, asking teachers not to use caning too much). On the

whole I aimed to conduct unobtrusive observation. The feeling of utter strangeness did not last, and the strange gradually became familiar. It was mainly due to their warmth, friendliness and generous cooperation throughout my stay. Observation was easier when something unexpected/unplanned and unusual happened. Hence the longer time to take notes in Tanzania than in Japan.

Areas I tried to cover, in terms of their actions (both discursive and in practice) were about how the discipline or corporal punishment is perceived in:

- The relationships between children and adults both in schools and outside;
- The characteristics, context and reaction to critical incidents related to discipline and punishment particularly of children, but also of adults
- The role children themselves assume in the settings (seemingly consciously or not).

As noted above, I took detailed notes to familiarise myself with physical arrangements and events, the schools and their surrounds, the hostel and everywhere I went, where the students lived, people I met outside the schools, conversations, what people did and did not do, and what I felt and thought during my stay, until I understood some routines and rules of behaviours that seemed to exist. Later I focused more on categories such as: 'good/bad' behaviours of students; behaviours (authoritarian, friendly) of teachers; and peaceful/violent relationships amongst students.

Table 2: Time spent in Dar (observation) phase 3

Dates\Class	C	A	B
17 <sup>th</sup> October 2007-7 <sup>th</sup> December 2008	Every other day	Every other morning/afternoon*	Every other morning/afternoon
8 <sup>th</sup> December 2007 - 6 <sup>th</sup> January 2008	Christmas Break: I carried out interviews with parents and focus group with students. I observed as things occurred, but not in classrooms.		
7 <sup>th</sup> January 2008 – 3 <sup>rd</sup> March 2008	Almost every afternoon	Almost every morning and occasionally After 14.00	
		Almost every morning and occasionally After 14.00	

(\*Morning: 7.30-11.00, Afternoon: 11.20-13.30)

### 6.5.2 Semi-structured interviews

Face to face interviews with students and parents/guardians were conducted from late November to mid December 2007. This was loosely structured into five themes (see Appendix 15: Sample interview schedule). For interviews with parents/ guardians

and students (individual and focus group), I had an assistant, who helped me to explain some words in Swahili (in either English or Swahili), since I did not have time to look up every new word in a dictionary. However the assistant was not a trained translator (see below). Therefore it did affect the way I asked questions (as I misinterpreted a few things, which participants said) at first. I must admit that the translation was a major challenge before and during (and after) my research. Even though I understood most things in Swahili, it was rather difficult and frustrating especially during the first term. I tried to re-phrase and use alternative words, whenever the assistant appeared to rephrase the question that I said (in English) slightly differently (in Swahili). Yet it was not always successful. Both participants and field assistant were patient and supportive during interviews. Overall, having an interview-schedule greatly helped me.

### **6.5.3 Focus group interviews**

Focus group interviews can yield different data from individual interviews, and may be used to gain normative understandings of particular topics through people's body language or silence or interactions, in addition to what individuals actually say (Short, 2006: 104). Therefore, a group is more than the mere sum of individuals. During phase one (in Japan), the focus group interview was difficult to arrange more than once due to the students' unavailability, and lack of interactions amongst the participants that did not seem to yield discussions, and I found myself dominating the process. My plan to meet them more often, did not work and so I tried to fit sessions into the availability and convenience of students, teachers, and parents/guardians. In light of this experience, I have arranged the third phase (Tanzania) focus groups, which comprised of three sessions for each of the three groups. The first sessions were a form of brainstorming regarding five themes that were used in earlier individual interviews with students and parents. These themes were: *watoto* (children); *watu wazima* (adults); *nidhamu* (discipline); *adhabu* (punishment); and *ukorofi/vurugu/ugomvi* (violence). Each participant wrote her/his *mawazo* (thoughts, suppositions, ideas, opinions) about each theme in the first session. These were then organised into sub-themes within each of the five, and they prioritised these sub-themes. In the third (voice recorded) session, each group met again to talk about the

topics they thought were most important in the second session. (see Appendix 16: Example of interview transcript).

#### **6.5.4 Documents (diary, photography and drawing)**

These methods too are seen as means to explore and understand participants' views that cannot be grasped merely through verbal interactions. Most students, who wished to participate in these forms of research were provided with necessary equipments (disposal camera, pens, colour pencils, pencils, notebooks, sketch paper). Diaries were written over the period of two weeks in order to gain insight into their daily activities, which was not easily accessible mainly due to ethical considerations of avoiding intrusive questions. To gain insight into their environments, students were asked to take photographs of things they liked and disliked, and to write very brief descriptions of the pictures taken. Drawings were sought under the theme of 'what do you understand by the term "discipline"?'

#### **6.5.5 Other sources of data**

I also took field notes in schools (inside and outside classrooms). Outside the schools I used a private research diary to document and reflect on the events of the day and ongoing research processes including problems encountered, which seemed to be endless. It was also important for me to record detailed notes about my actions and feelings in relation to people inside and outside the school. Overall it served as a means to reflect on my role as a researcher in order to be sensitive about the ethical issues that arose in the course of my fieldwork. However, my supervisor advised me to use the private research diary for personal confidential reflections, separate from my other records and not for publication. For these reasons the material is not to be subjected to the possible audit trailing of the empirical research, and I did not include specific date of the entry in this thesis.

#### **6.5.6 Field assistant and language**

The language of communication during the fieldwork was Swahili, spoken as the first language by almost everyone in Dar, in the schools and on the streets. Although English is the official language of Tanzania, few participants feel comfortable speaking in English. Even those teachers who taught English admitted that they needed more language training, and it was much easier for us to understand each other in Swahili

rather than in English. The language skill was therefore crucial for my research. I had had language training at the School of Oriental and African Studies (SOAS) during my first degree, and had stayed in Dar during 2001 to 2003 (see Chapter 1). I also attended an extra language course at SOAS, 2007-2008.

I must admit that my field assistant (see above) and I both found it difficult to work together, for neither of us had previous research or interpreter work experience. Yet this problem was negotiated, questions were asked and clarifications were made each time we encountered problems. The partnership was arranged two weeks after my arrival. He was one of the children I met, when I worked at a local NGO as a volunteer years before, and had kept in touch with. He knew the locality very well. He also assisted the NGO as a peer for other youth activities in the area for some time. His disadvantaged background was similar to most participants and, most of all, both adults and children found him empathic and approachable. He also understood my background and my character, and it was easier for me to communicate with him than with anyone, for he had a reasonable command of English (he now works as a tour guide). As he was reluctant to accept payment, I found him a mobile phone so that I could reach him whenever necessary. I also bought him meals whenever we had meals together.

#### **6.5.7 Transcription and translation in second and third languages**

Beside the problem of communication with participants in terms of English-Swahili competencies, I also experienced problems while transcribing and translating interviews from Swahili into English, because neither is my first language. I started learning English at school from the age of twelve. Japanese is the most comfortable language, with which I express my feelings to other people. This affected greatly my ability to express my views and feelings in Swahili during interviews. Sometimes (not always) I had to translate from Japanese to English and then to Swahili, especially when people asked me about Japan or ideas or concepts that do not exist (at least as far as a non-professional translator is concerned) in either Swahili or Japanese. My field notes, private research diary and interview notes were thus taken in three languages, and this made it rather difficult to rely on any computer software based analysis (not that it was absolutely necessary). Therefore apart from some

transcriptions such as the one presented in Appendix 16, most transcripts were not interpreted into English. I also did not transcribe all the interviews but during analysis relied on my detailed notes together with the recordings. This way I hoped to interpret and represent the contextual, nuanced, verbal and also non-verbal and unspoken aspects of the interviews, and take them all into account in the analysis.

## **6.6 Processes of data analysis**

The processes of data analysis developed as before, during and after my fieldwork. I sorted transcripts, my diary, field notes, and other materials into possible key issues and themes.

Through the previous literature review, the following themes emerged: ontology and epistemology of morality; global and local; childhood and adulthood; poverty; and role of education.

Through the individual interviews, which were conducted during the first phase, I identified five main themes: childhood; adulthood; discipline; punishment and violence.

Subsequent processes of analysis included:

- Focus group discussions and informal talks with the participants regarding earlier interviews, events and definitions of some terms used;
- Developing sub-themes involving the focus groups;
- Revision of plans for later phases during fieldwork;
- Sorting (including charting and mapping) of transcripts, fieldnotes, diary of the students, my diary, photographs and drawings into key issues and themes (starting from one transcript and moving to another, and then to different sources of data);
- Further scrutinising the materials into many possible substantive themes involving comparison of different data sources;
- Counting and comparing the substantive themes and ideas to narrow the focus in the light of the 'original' research questions;
- Examining contradictory statements, practices and ideas by participants and the Tanzanian government policy documents and more recent news materials;
- Deciding how to explain the contradictions in the light of methodologies;
- Examining and deciding which methodology illuminates and explains the data most clearly and appropriately;
- Re-framing research questions (see below);
- Developing understanding of critical realist ideas and concepts and theoretical themes.



- Continued re-checking of data so that the selected ideas and tentative conclusions are actually supported by the data;
- Developing the understanding of critical realist ideas in order to show how they deepen understanding of corporal punishment of children;
- Deciding which topics and data sets to omit; and
- Constantly reflecting on how I as a researcher was and am affected by the relationships with the participants during the fieldwork and writing up from ethical standpoints (see below Research Ethics).

In the course of analysis the questions were re-framed from a critical realist perspective:

- 'what must the mechanisms of childhood, punishment and rights be like in order for them to be widely accepted as moral grounds upon which the corporal punishment of children should be banned?'
- 'what are the emerging properties of these mechanisms?'
- 'how can the mechanisms be revealed through the ideas of four-planar social being and MELD?'
- 'what does the unexercised/unactualised power suggest about the mechanisms?'
- 'what are the mechanisms that need to be absented (transformed) in order to protect the dignity of children and of adults?'

As Chapter 5 indicated, critical realism approaches aim to reconcile ontological realism, epistemological relativism and judgmental rationality (Archer *et al*, 1999: xi) through an ontology of reality (natural necessity), which grounds epistemology and is then dialectised through the relationship between being and becoming based on the concept of absence, and this offers an analytical framework for practical research about moral principles such as freedom and justice.

Critical realist ontology provides a way to engage us with the properties societies (within which four-planar social beings are located) possess, and this makes them possible objects of knowledge for us (Bhaskar, 1998). It is argued that the features of societies that concern the activity-, concept- and space-time dependency of social structures are what distinguish objects of social science from those of natural sciences (Bhaskar, 1998). These features tell us that they are relatively enduring, and that structures and agency are not reducible to each other. Thus while I narrowed my focus and made decisions to omit certain possible big themes: e.g. post-colonialism, political-economy, gender relations, infancy and adolescence status, and urban-rural differences and similarities, they were taken into account as part of the generative mechanism of the relations observed in the two schools.

As I developed my understanding of critical realist approach, I decided to use the two ideas as two main frameworks for analysis: four-planar social being and MELD (see Chapter 5). The two ideas are particularly helpful in order to disentangle the layers of relations that structured the ways in which students, teachers, and parents/guardians experienced and practised corporal punishment of children. Critical realist ideas (see Chapter 5) as I understand them can help to reveal the problems that lie in the conceptions of childhood, punishment and human rights, which misunderstand the place of rationalities and emotions, and power-knowledge relations.

### **6.7 Ethics**

This section reviews potential and encountered ethical research problems, and how I aimed to resolve or prevent them. Critical researchers often hold aspirations about research as radical transformative praxis, which is to be conducted under two main principles or aims: to produce research findings that are relevant in practice; and to be conducted through a subject-subject relation that avoids domination (Morrow and Brown 1994: 316). However, as it has been mentioned earlier, ethical aims are implicated in every moment in research process. As an ethnographic researcher with children, I was aware that the inequality between the researcher and the researched was inevitable. Knowledge about ethics of social research particularly with and for children has expanded over past years about problems that arise from this division (Alderson, 1995; Alderson and Morrow, 2004; Ebrahim, 2008; Farrell, Alderson and Morrow, 2005; Morrow and Richards, 1996). The following potential or inevitable ethical problems were considered with the above two principles in mind. I followed the Ethics Guidelines of the British Educational Research Association (BERA, 2004) and the Association of Social Anthropologists (ASA, 1999). I have been successfully subject to a Criminal Records Bureau check (UK) and a Criminal Records check (Japan) in November 2006. This study was approved by the Institute of Education Faculty Research Ethics Committee.

### **6.7.1 Risks: potential risks/discomforts and method of minimising these risks**

Due to the sensitivity of topic, participants might become upset or uncomfortable. As an adult researcher from abroad I might be less aware of their hints or cues that they might be feeling pressure from me. Participants' time that could be used for activities other than research (e.g. helping family, private study) should also be taken into account. As noted earlier, I gave out the information leaflets (Appendices 17a and 17b: Sample information leaflet) and consent forms planned before the fieldwork. However, during the third phase, some adjustments were made.

I was advised to omit the signature part from all the consent forms, by the contact (University of Dar es Salaam) provided by the COSTECH and the Municipal Education Officer; I limited the number of individual or group tasks to one each in order to involve more people as willing participants, and to minimise the time each one spent on the research (see earlier).

Unlike in schools in Japan, in Tanzania it was not always possible to secure a quiet place, where the conversations could not be overheard by anyone, especially where there is a shortage of classrooms. Although I sought a quiet room whenever possible, I conducted some interviews with adults (not with children) in school gardens after seeking further consent from the interviewees.

The following steps were taken to respect people and to reduce the risks of harming, upsetting or exploiting them.

- Inform them about the research aims and content and detailed processes orally and in the information leaflet;
- Inform them about the possible impacts and risks to them; and
- Encourage young people to talk to a friend or a teacher if they have concerns or uncertainties;
- Inform them that they can ask me any questions about the research at any time
- Provide more information if necessary;
- Ask students what they have understood about the research and ask them to discuss their views in a group (if they wish) (students only);
- Let them know and make it clear that they can refuse to participate in the research;
- Let students know that they will not get into trouble even if they refuse;

- Tell participants clearly that they can stop/skip answering some questions or withdraw at any time in interviews;
- Inform them that they can choose and let me know the way they think is best to answer some questions (students);
- Inform them about confidentiality and anonymity (see below);
- Conduct individual or pair interviews in a quiet private place;
- Take extra time (before, throughout, and at the end) with focus groups to explain the need to keep confidentiality within the group;
- Let them know how long the confidential data will be kept before it is destroyed;
- All data to be kept in a safe lockable place that cannot be accessed by other people;
- No actual names of people or schools to be used in the thesis and other reports
- All information containing names (that undermines the participants' anonymity and confidentiality) to be destroyed after completion of my degree.
- Inform them that their confidentiality may be compromised if it reveals a serious case of abuse. If so, the child would be asked about the sort of action he or she wished to be taken first. Then an appropriate local expert may be contacted to discuss how the case should be dealt with. A child who does not wish to do so, will be encouraged to talk to friends or another trusted person.
- Make sure that they understand about informed consent and refusal;
- Record participants' consent without having them to sign the written form;
- Make no promises that I cannot keep;
- Always listen to them carefully with respect in a manner that does not pressure them;
- Let them know that they will be given a brief summary of the findings later.

### **6.7.2 Research beneficiaries**

Although I hope that this research will help to improve the school environment in the future, this is unlikely to have an immediate impact on students' everyday life with regard to corporal punishment. I hope to write reports and publications to increase better understandings of children's rights and effective policies to reduce the use of corporal punishment.

### **6.7.3 Compensation and respect**

Participants (students) were given small gifts such as pencils and photos taken during the fieldwork. I tried to reciprocate with participants in appropriate ways, and gave them a brief summary of my findings after the fieldwork (see Appendix 18: Short report for everyone [summary of my findings for students and adults]). Copies of the final thesis will also be sent as requested by the teachers.

I made every effort to ensure that information provided by the participants were well understood, properly contextualised and presented. The most important principle

during and after my fieldwork is to be respectful to the community involved particularly to the participants, who helped me throughout.

### **6.8 Role of the researcher – ethical orientation**

Blaikie (2000) outlines possible roles of social researchers in relation to the research participants that range from relatively detached observer to committed facilitator. During the fieldwork, I was an observer in school. I was allowed to attend meetings and any lessons, but did not formally participate in the work of the school. I occasionally participated in lessons and asked questions or read textbooks with students especially during English and Swahili lessons. I usually carried out my observation and overheard conversations as they occurred, and scribbled into my notebook openly. Sometimes I had to write down some situations when people around me had moved on to do something else. In both schools teachers first introduced me to students at one morning assembly. Therefore, more so at the beginning, not all students knew who I was, and what I was doing, although some students, who knew about me told other students, whenever they were asked. I introduced myself as a student researcher. In both schools, head teachers told the students to be well behaved in front of me as I was going to write about them later. Although I tried to distribute the information leaflet written in Swahili to all teachers through a teacher in each school, later I discovered that the papers had been misplaced in both schools, and not all teachers had the leaflet. I gave them leaflets individually whenever possible, and explained my purposes and repeatedly replied to questions for about two months. I distributed information leaflets to each student, who was directly involved in the research observations, interviews, etc., and teachers read the leaflet with them in classrooms in my presence. I also asked the students to read the leaflet with their parents or guardians at home. However some of them told me that they had not read the leaflet. I asked students to ask me any questions. Some students seemed to have either forgotten about or misunderstood my research and occasionally asked me questions such as:

‘Which school year do you study?’ (meaning either primary or secondary education)

‘What is it like in your country, China?’

‘Are you going to report it, if we misbehave in school?’

‘Will you be able to help us?’

I kept explaining that I was spending time in the school and talking with people in order to learn what goes on in schools and why, and I also explained about anonymity and confidentiality. Yet I was never sure how much and how many of them understood about my presence, at least for the first two months.

Although I used the term corporal punishment (caning: *adhabu ya viboko*) in the research information leaflet, I tended to explain that my focus was not wholly about corporal punishment, but rather how discipline and children's rights were understood and how corporal punishment was employed and understood in relation to them. Teachers' understanding about my research gradually changed. At first teachers of both schools (it was more so in Umoja) tended to warn students that I was going to write 'how badly behaved Tanzanian students are'. Later some teachers in Umoja became more worried about what I was writing about their use of corporal punishment. This, at times, put me into an awkward position, between teachers and students, but I always tried to explain my research purpose (that I was not there to count how many times students are hit in schools, and how teachers act against the law) and that 'I was no one's enemy' while making it clear that I disapproved of the use of caning. I must have appeared incoherent to some teachers. Yet I could not think of any better ways to explain my position, when I faced the very difficult working environment teachers were in. There was a very disturbing incident after my departure. In a phone call, one student reported that two teachers had questioned, intimidated and punished some students, who took part in my research. Upon my return to the school (Phase 4), I spoke to a couple of students, who were involved in this incident, away from any adults. I apologised for causing distress, but I did not investigate any further, for this could have resulted in further punishments. Being a temporary participant in the setting from abroad reminds me that care about ethical standards can never be 'enough'. I aimed to be an empathic observer-learner.

## 6.9 Summary

This chapter has reviewed the practical approaches and ethnographic methods, the research ethics, and the way I entered into the field, as a framework for subsequent chapters. The practical approaches were guided by one of the main research topics - the UNCRC that values the dignity and rights of children as human beings. I entered

the field as a lone postgraduate researcher from abroad. The chosen methods enabled me to treat the participants more as knowledgeable collaborators rather than passive respondents. Yet it was difficult not to appear too intrusive at all times. Moreover, the main limitation of the chosen methods was the language skills: the amount of time that it took me to adjust to the new environment and to improve language skills to conduct interviews in more relaxed and efficient way; the interpretation and translation.

## **Chapter 7 Childhood and critical realism**

### **7.1 Introduction**

Chapter 3 reviewed the growing debates over childhood in positivist and Interpretivist traditions and pointed to the importance of childhood as a conceptual category. Critical realism understands category as a mode of being that constellationally constitutes being (i.e. depth ontology) (see Bhaskar, 2000: 33-9). The dominant ideas of category mainly influenced by Kant are characterised by natural necessity of knowledge about actual events instead of depth ontology about the world itself (see Norrie, 2010). The relatively newer approaches to childhood, Mayall's (2002) generational analysis for example, seems to view childhood as real being of the world, and thus argues for more embodied inter-/intra-generational relations in the world.

Chapter 7 illustrates how part of the existing epistemologies of childhood (see Chapter 3) are characterised, for example, by references to age, appearance (body size), and academic achievements invoking further categorisation such as incompetence, irrationality, and emotionality in contrast to adulthood, characterised by autonomous and rational agency. This chapter starts out by analysing the relations between poverty and childhood that powerfully influence the child-adult relations in the two urban schools. It tries to show how poverty as absence of resources can penetrate into our beliefs about childhood, which in turn can influence the ontology of childhood. This is then followed by analysis of intergenerational relations in terms of four planes, focusing on the critical realist idea of agency-structure dialectics that leads to the next section that considers some components of unequal child-adult relations sustained by marginalisation of structure. In particular, this chapter illustrates how the splits between mind/body and rationality/emotion are constituted by 'absences' - the ills - ascribing differential moral status to childhood and adulthood. The argument is based on analysis of childhood in the two Tanzanian schools, in which the (alienated) agents live in the light of the concept of four-planar social being and MELD explained above (Section 5.6).



## **7.2 Four-planar social being and childhood**

In both Amani and Umoja schools children and teachers referred to age, body size, lack of certain rights (to marry, to decide things, to consume alcohol, cigarettes, etc.), the absence or presence of certain responsibilities and rights (e.g. play, schooling, provision and protection) as markers of differences between adulthood and childhood. For example, my status in both schools can be said to be characterised by a series of absences - absent status as *dada*, neither teacher nor child. My height and skinniness were often recalled, when students and teachers talked about my age and asked questions relating to marriage and family life. The absent status as *dada* often positioned me in between students and teachers in the schools. Particularly in the absence of teachers, students sometimes teased me and openly talked about their views regarding their life inside and outside school. Teachers were also very friendly and treated me with special care – they too teased me at times, gave me opportunities to attend teachers' meetings, invited me to their homes and told me about their problems as teachers and parents, as Tanzanians and the city dwellers. 'I' was mediated by (epistemologies and ontologies of) age, nationality, body size, clothing, where I sat and stood in classrooms and schoolyards, how I walked around, and so on. That influenced the absence or presence of formalities in different situations. This act of absenting through mediation surfaces at many levels.

### **7.2.1 Four planes, poverty and the imperfect child**

Based on a critical realist analysis, Gruffydd-Jones argues that the dominant explanation of the problem of global poverty by the UN, IMF and World Bank is underlined by empiricism and social atomism (2003a: 222). It is based on the analysis of identified 'patterns of correlation within the set of data about different [quantifiable] empirical characteristics of the poor [as atomistic individuals]' (2003a: 224) thereby making implicit the stratified and differentiated nature of phenomena in an open system of the world. Gruffydd-Jones's (2003a) analysis points out that the appeals to citizens, whether rich or poor, to fight against poverty overlook the importance of the social relations and unequal distribution of resources that comprise poverty (Chapter 1).

Dar has better infrastructure than other regions in Tanzania, but many students said they did not have piped water or electricity at home. The over-worked staff of Amani School was further reduced in 2008, and many students went through the day without lunch or even breakfast. Poverty needs to be understood in structures of social relations (see below), and the knowledge of 'experts' does not necessarily matter more than that of teachers, parents, and students, who experience and embody multiple absences. While asserting the ontology of universal human rights, I do not want to suggest that 'they' only need the help and 'expert' knowledge of richer countries, and raising their income does not remedy all the problems that 'prevent' us from practising human rights principles (see Chapter 9).

DCR illuminates how complex matters such as childhood and poverty work at many levels, and this section examines them through plane 1 as partially socialised material plane (e.g. food, weather), plane 2 as inter-personal relations, plane 3 as social relations at the level of institutions (schooling, intergenerational relationships, and childhood and adulthood), and intra-personal relation at plane 4. Thus the earlier sections on politics, economics, policy, demography and other contexts (particularly) fit into plane 1 and plane 3 (Chapters 1 and 6). How these material and institutional levels of relations influence and are practiced or altered at the levels of personal relationships (upbringing, closeness, expectations, and the level of trust) amongst teachers and students at plane 2 as well as at the level of intra-subjective relations particularly with respect to emotion, self-knowledge (self-care) and respect (plane 4) will be illustrated based on the understanding of four-planar social beings (Section 5.6.1).

### **'Bad' behaviours as plane 1 and 3 relations**

Poverty was one of the reasons listed by my interviewees, mainly the adults, as a cause of 'bad' behaviours that influenced the child-adult relationships negatively. Mwl. Milinga said he could be in his office all day dealing with children who accused others of pinching or hitting them, 'now, it can really drain you dealing with these things all the time'. I asked why there was so much fighting.

Mwl. Milinga: Really, I think it owes to the environment in which they live. Here in Buguruni. ...that thing about 'Swahiliness' ...In Buguruni, Swahiliness goes a bit too far...Swahiliness is really really really present.

TY: [Swahiliness] Doesn't exist everywhere in Dar es Salaam?  
Mwl. Milinga: No, it doesn't [not] in Oysterbay area and areas like Upanga [both known as affluent areas].

Although Mwl. Milinga was cautious about making this point, based on three years teaching experience, he clearly linked poverty and schooling, and he associated 'Swahiliness' (*Uswahili*) with poverty, 'uncivilised' and unsophisticated behaviours, like other people I spoke to around the city.

Other teachers identified economic inequalities with 'Swahiliness' or 'their' culture as reasons for students' misbehaviours: truancy, lack of attention, stealing from each other, and involvement in gang groups, for instance, with the subsequent justification of corporal punishment (Chapter 8).

Yet I am not suggesting that the teachers wholeheartedly justified violent punishment by social, cultural and economic conditions. For example, Mwl. Oningo accused of some traditional rituals (e.g. initiation ceremonies) and teachers' low moral (see below) for impeding children's education, and with Mwl. Kasese emphasised the importance of 'talking through' to have things really changed to benefit children, and they had mixed views about unequal child-adult relationships and about challenging and changing conditions particularly due to poverty.

### **'Bad' behaviours as plane 2 relations**

While students also explained causes of 'bad' behaviours such as truancy in terms of poverty, they tended to explain causes more at the level of plane 2 relations, like Group B students.

TY: Why do you think that some children don't come to lessons?  
Shabani: I think for children, the students...they skip classes...because of their upbringing at home. It depends on the sort of upbringing you get at home.  
(...)  
TY: What sort of upbringing is bad upbringing?  
Chris: Your father is alcoholic...and mother erm...and mother is alcoholic. What would a child do? The father doesn't care about the child's outcomes. You find those children who are used to it. Every day they come back home anytime they want, they eat what is given, their sisters may or may not have cooked, and they have nothing to talk about. They (the child, parents and sisters) know their own behaviours and that's why you find a child who

has bad habits and bad ends [people learn bad behaviours from each other and thus the child ends up having bad habits].

(...)

TY: Are there any other reasons?

George: And teachers can be strict, and children can be scared of the teachers. That's why children become truants.

(...)

Omar: A teacher inspects and smacks...erm, punishment makes children to skip lessons...[and] stay like that and get involved in a gang group.

### **Poverty and plane 2 relations**

Mwl. Milinga later explained students' behaviours in terms of poverty in a story of a caring relationship.

Earlier that day, one student and his older brother (or *kaka*) came into the teachers' room to talk about the student's truancy, for which he was hit very hard by his brother in front of teachers (teachers did try to calm him down). Although he was referred to as 'this little child', the boy was 15 years old, studying the sixth grade [formally for 11-12 year olds] which probably meant he had started schooling later than the formal age (it was more common just after the abolition of school fees) or (although less likely) repeated the year (Appendix 19: Tanzania primary school transition rates 2002-2008, NBS, 2007b, 2008a).

Mwl. Milinga: In our culture, I think, it is not very easy. Especially for families in this part of Africa...because [many] parents live in conditions, which are not very good. Usually [as in the student's case] the child is raised by the older brother. So, now, you saw that he was seized by anger. That the child lost the expenses [for school]...He (*kaka*) has been providing him with good assistance (*huduma*). Helping his young one well...so he can come to school, study. But the child doesn't like to study. You see? Now if you turn again [to the living arrangement], the child lives with his sister-in-law (*shemeji*)... I mean, that *kaka* is busy. He can leave home very early in the morning, and comes back home very late to earn their living.

(...)

TY: So you asked him (*kaka*) to come to school?

Mwl. Milinga: He came himself [without being asked to]. He came to know that his young one had not been coming to school. So he asked himself how it came to be like this. So he came to school...

TY: So do you know what he (the student) was up to...without coming to school?

Mwl. Milinga: This child? While he hadn't been in school? Nothing! He just doesn't like school.

TY: So he had been staying at home?

Mwl. Milinga: Just staying at home. But it's not like that brother does not help him. He provided him [the child] with everything he needs for the school. But the child just did not want to come to school.

TY: Why?

Mwl. Milinga: We don't know. We don't know why.

TY: So you still haven't asked him?

Mwl. Milinga: We haven't...We asked him, but...now that...that kaka said he heard that he [the child] goes to look for 'skrepa'.

TY: 'Skrepa'?

Mw. Milinga: You don't know what skrepa is? It is a car part (i.e. scrap metals). They [some people] sell this part to earn money. Now this little child, we don't know how [from where] he got them [to sell], but it could have involved theft. We don't know. Now we are very worried that a child as small as him instead of coming to school to study, he went to do business. If you remember, it is not like he was not provided with everything he needed so he failed to come to school. He needs to study, and indeed this is an example you get in this school.

Mwl. Kasese suggested the difficulty the child's upbringing can pose to teachers.

Even if the child is taught at school, it would be difficult if the child's family doesn't provide the desirable environment in which children can live. For example, the child may be an orphan or the child may be living with people, who just don't care about children...what they do. So the child would just discontinue [with the good behaviours], and it would be difficult. I teach them this way, and at home, they are left on their own.

These extracts show how the 'problem' of poverty relates to plane 2 relations in efforts to cope with scarcity. Teachers and students thought that poverty was not the major element of bad behaviours, many poor children behaved very well. Poverty is rather a motivation or cause that externally influences interpersonal relations and feelings and behaviours although contributing to the epistemology of the imperfect child. The boy was punished for doing work that an adult would be praised for doing.

### **7.2.2 Intergenerational relations and 4 planes – agency and structure dialectics**

Although children, as individuals or in groups may be able to change some social events and trends through expressing their opinions, some things cannot be altered unless the underlying social structures or relations are changed. Bhaskar argues:

[I]n Durkheim...subjectivity tends to appear only in the guise of the interiorised form of social constraint. But it should be equally clear...that real subjectivity requires conditions, resources and media for the creative subject to act (1998: 37).

Bhaskar (1998; 2008b) argues that real agency is influenced by resources and media, but not determined by them. The model of Tanzanian childhood relates to Tanzanian adulthood. The powers adults 'can draw upon depend partly on their relations to one another, and to relevant parts of the context, such as educational institutions' (Sayer, 2000: 13). How do adults' beliefs about structural constraints and their actual disembodiment due to lack of resources relate to children's agency? What is it like to be a child in Umoja and Amani schools in urban Tanzania? How do social structural, inter- and intra-personal relations influence childhood?

### **Intergenerational contract and HIV/AIDS pandemic and relations at four planes**

An intergenerational contract of inter-dependency assumes that future generations (children), will care for the older generation (parents) that has previously cared in turn for the still older generation (grandparents). Current changes in demography partly due to HIV-related illness affect this intergenerational contract, as many children indicated during interviews. Increasing numbers of grandparents are bringing up orphaned grandchildren (UN, 2001a).

It was not uncommon for children in the two schools to live with their extended family or their elder sibling(s) after one or both of their parents had died. The death of parents, the middle level in the intergenerational contract left families with even fewer resources (Nyamukapa and Gregson, 2005). For example, Group B students attested that absence of parents could constrain children's lives at all planes.

Omar: Harassment starts in...for example, children who's been separated by both of their parents, for example, decide to go live with their aunt like this. You find the aunt, I mean, has nothing to talk about [with the children]. They don't get food. The aunt dismisses every...everything they try to do and they get contested in the aunt's house.

(...)

Hassani: Harassment, I mean, happens too often. For example, I mean, an orphan would go live with a...erm...some rich person, whom they met [on the street]...They have to do every job, and are harassed. I mean, you find a situation, and everyone there [in the household], tells the child to eat in the kitchen...Now you find the children feeling [oppressed] so they decide to escape. They would join street gangs like that and that's the way things go bad.

(...)

...then they [the child and the rich person] start blaming each other later. Because the child becomes tired...tired of being harassed, and decides

like...even...decides to commit suicide. That's it...or they can escape and involve themselves in bad activities...

Chris: If they don't have parents [or relatives] they go to beg for a job...the child starts to be getting hurt, starts to be raped...yeah. Children who ask for a job get denied [and] go to another place and get raped like that.

Needless to say, parental death causes a large emotional strain on children, with negative effects on their education, health, bodily integrity and the overall moral status of children (Ainsworth, Beegle and Koda, 2005; Beegle, De Weerd and Dercon, 2009; and see Section 7.2.7). For example, Abdul (age 11, Umoja) who lives with his grandparents wrote in his diary that:

Teachers pay us, the orphaned students...my mum left this world in 2006, and my dad...I don't like living without my parents...I pray everyday...[but] sometimes I have to sleep with empty stomach, no food for the whole day...but there is no money to go to hospital when I am ill...

School attendance rates for double orphans (both parents deceased) is 52 per cent, and for children who live with at least one living parent is 71 per cent, with approximately 2.9 million orphans, 15 per cent of all children in Tanzania (UNAIDS, *et al*, 2004: 11, 30). The estimate number orphaned by HIV/AIDS in Tanzania was 970,000 in 2007 (UNAIDS, 2008: 219).

The above extracts indicate that plane 3 relations (social structure proper) can influence the child's plane 2 relations in aggressive and violent relations with others. The absence of peaceful relations with others can further alienate children at planes 1 and 4, from lack of food to ultimately becoming suicidal, which involves being de-agentified through alienation from one's own body and intentionality to act (Bhaskar, 2008b: 278).

### **What is denied or destroyed in present and future economic interdependence (Planes 1, 2 and 3)**

Children's most frequent comments about their value were as the group who 'will' be responsible for caring for elderly parents. This economic and social value of children as 'potential' labour power is cited in all countries whether at familial or national level (e.g. Arber and Attias-Donfut, 2000).

In group B, for example, Hassani wrote that ‘children are tomorrow’s nation’, and participants said:

- Shabani: When we say children are tomorrow’s nation, it means I mean...we are now like we are expected, and are educated, and are expected [to do something for parents] by our parents [in future]. All our parents expect us right now [to do something in future]. We should study [now] so that later they, when they [parents] are old, I mean...when they need help we should help them.
- George: I say...therefore our parents educate us so that later we can lift up the economy of Tanzania. Or to compensate for our lives [at present] later.

This emphasis on the value of children as ‘tomorrow’s nation’, however, is too often accompanied by silencing of children in the present (see Section 7.2.6).

While acknowledging the complexities of children’s rights and the intergenerational contract, Kabeer argues that it is ‘the interests of parents’ security in old age [that] dominate over the long-term interests of the child’ (Kabeer, 2000; Malhotra and Kabeer, 2002). My respondents agreed. The rights of the child tend to be weakened by poverty in parental and societal failure to uphold the principles of the UNCRC (more on this in Chapters 8 and 9) and in intergenerational transmission and reproduction of economic inequalities as well as social values (Kabeer, 2000). However the reality of poverty and absence of state welfare system is only one element of the oppressive relations. The dialectic of the epistemology and ontology of poverty relates to Khan’s (2009) argument that the protection of human rights requires more than partial focus on economic growth (see Chapter 9). The physical realities of poverty interact with social stigma to undermine poor children’s rights.

### **7.2.3 Four planes and non-recognition of children’s agency**

Having reviewed structures in unequal intergenerational relations on all four planes of social being, I will consider how agency can reproduce and maintain the unequal relations, particularly the agency of children.

#### **Non-recognition of children’s agency and plane 2 and 4 relations – children’s and parents’ duties**

Children themselves have their own motivations, opinions and potentials to change, but under existing adult-child relations in the Tanzanian schools, partly supported by the existing epistemology of childhood, adults justified harmful practices. Students



often talked about non-recognition of their agency, either directly (by referring to their right to be heard) or indirectly (by negating, omitting or marginalising their agency). Agency is shaped by relationships as Sayer (2000:13) has argued.

In the social world, people's roles and identities are often internally related, so that what one person or institution is or can do, depends on their relation to others; thus, what it is to be a tutor cannot be explained at the level of individuals but only in terms of their relation to students, and vice versa.

As explained above, critical realism analyses the stratified nature of persons, which includes beliefs about childhood and the frequent absence of recognition of their (own) agency as children. For example, Saida (Age: 14), who studied at Amani, wrote in her diary that:

...At our home, we like doing work very hard. Usually, each one of us has to do some kind of work, and when we finish with our work you feel very good about your environment. Without our parents we aren't going to work. They [parents] raise us, provide for us, and protect us from illness. It means that parents are expected to take some time off from work, when we [children] are around. So this is why we share work at home amongst children...But one day my younger sibling, who was asked to run an errand to our neighbour, refused and ran away.

Saida and her siblings do share work at home to help their parents and she seems to enjoy what she does. However, she notes that they wouldn't do it without their parents, by denying their willingness (or feelings) to help so they can spend more time with their parents. Using the example of her younger sibling's resistance to work, she also seems to suggest the lesser moral status of the younger one. However the plane 2 interactions influenced by plane 3 based on the understanding of a particular belief do not reduce childhood to the status of lesser moral value (more on this in Section 7.2.5). The beliefs conveyed by Saida reflect the normative relations between adulthood and childhood based on misinformed knowledge that maintains absence of desire to engage themselves with alternative methods of discipline (see Section 5.6 and Chapter 8).

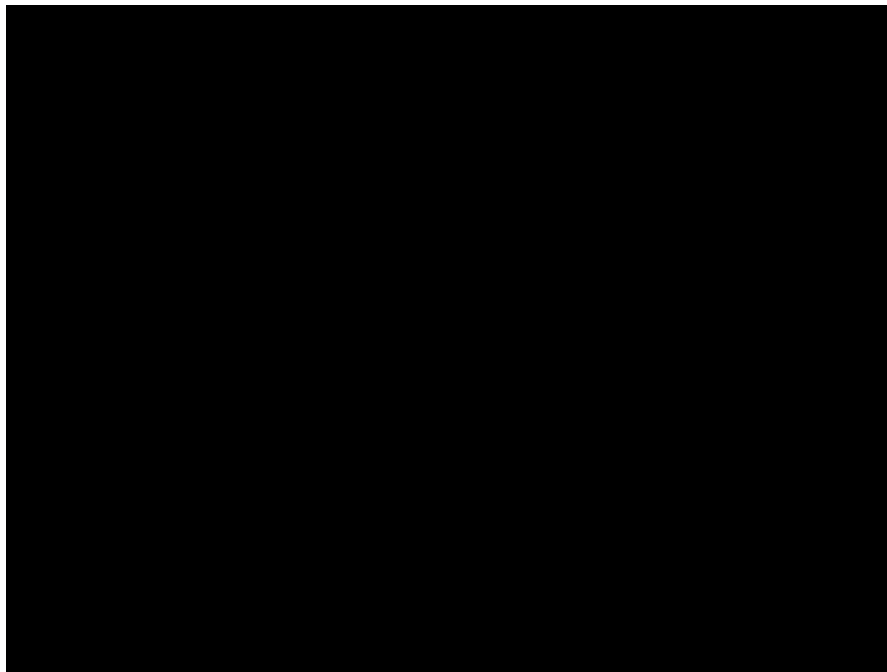
### **Unacknowledged contributions and four planes**

While children undoubtedly participated in numerous activities within the school and family context, their share of responsibilities was assumed but rarely positively acknowledged or explicitly appreciated. They did such activities often without choice. In school, children had to clean their classrooms, school ground, toilets, teachers

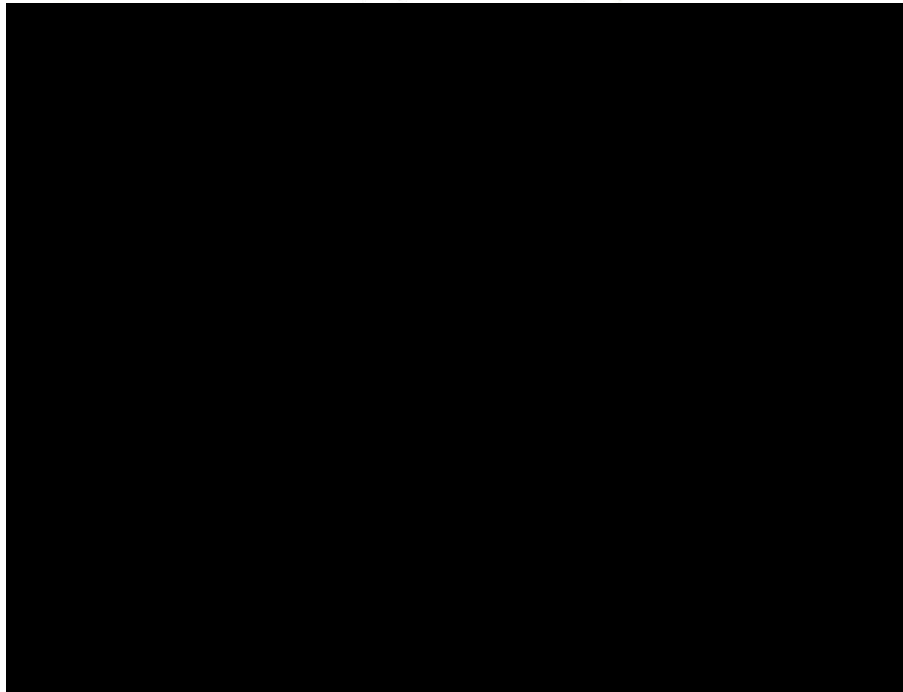
rooms and surrounding school premises, fetch water for cleaning, prepare water for teachers' tea (more on this later), and at home, they washed their clothes, helped with the dishes, fetched water, and so forth, often without being asked (see Figures 2 and 3 for examples of children's contributions). Some students were keener than others. Others were more interested in talking to their friends while cleaning.

I was used to cleaning my own classrooms from primary to high school in state schools in Japan. What were not ordinary were teachers and some prefects walking around with sticks, monitoring and governing while students cleaned. Students seemed to do cleaning, not only because there were sticks and rules, but also because they understood as their responsibilities and they felt good about it afterwards.

*Figure 2: Amani students cleaning outside classrooms*



*Figure 3: Umoja students helping school building repair*



#### **7.2.4 Four planes and obedience, respect and authority**

Good behaviour in children was summed up as showing respect to others, especially to elders, by obeying adults in general, paying attention during lessons, and being responsible for given tasks. Other examples were keeping oneself clean and presentable, and avoiding becoming involved in gangs (*makundi*). However, as the above section illustrated, children's feelings and their active involvements in running the schools are unrecognised, and children are forced to obey uncritically. They are only allowed to perform basic tasks. Prefects are also only allowed to control their peers and enforce the existing rules instead of encouraging and facilitating students' participation in school councils (which only allowed either tokenistic or nominal participation of students) to plan more effective teaching and learning. The examples below illustrate how this is enforced by their beliefs about obedience, respect and authority that summarises child-adult power relationships in more detail.

#### **Status of children in policy provisions and plane 3 relations**

Children should obey and respect their parents, guardians and the community in general and live according to national customs and traditions.

Parents should take into account their responsibilities and capabilities and plan their families according to their resources... (UTR, 1996: para. 31, 32).

The Policy implies that children's duties to obey and respect authority cannot be curtailed, while the duties of those in authority can be. How do the provisions that reproduce and are reproduced by plane 3 relations intersect with other planes?

### **Child's duties to obey and plane 2 relations at home**

Most parents said that a well-behaved child obeys parents and other adults in general. For example, one father, Mr. Tarimo, said (partly in English):

A good child is now. At home for example, when a child is at home, a child, who has a good discipline is that who, for example, if asked by the parent, goes to run an errand. If children are given a job to do, they do it without questions. When you talk about a good disciplined child, it is not those who would say something back. You are telling a something to a kid. If she is not disciplined, she<sup>21</sup> could be responding to you instead of listening to what you are telling her. So a person of this sort like this, comes to have no discipline.

Mr. Tarimo and most parents emphasised unquestioning obedience, and assumed adults' competence, rationality, and moral worth that enabled them to make 'right' decisions, supported by national policy and values in every home and school.

### **Anxiety and plane 2 and 3 relations**

During morning assembly, students are expected to stand or sit still, keep quiet, and move as instructed by teachers or prefects, who sometimes carry sticks. The child-adult relations in schools were often characterised by the absence and presence of anxiety towards authority. However, there is always chattering amongst both teachers and students, and not everyone pays full attention to the assembly. As Lawson (1997) emphasises, non-conforming behaviours need not be those of the minority. When we waited for 'something' to happen in the classroom, when teachers were absent, most students were busy talking to each other in Amani until a teacher passed by, indicating they knew the rule that students should keep quiet during lessons, even in the absence of a teacher. The regularities of observable events do not always coincide with sets of social rules, but may relate to other relations at work (see Sections 5.5 and 5.6), such as from hierarchies, duties and rights, to national education policies.

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<sup>21</sup> Swahili third-person singular subject noun 'a' does not have masculine/feminine distinction. I used either he or she unless specified by the interviewee.

### **Sticks and control and plane 2 relations**

A few teachers helped with the cleaning, but they were mainly there to supervise students. For the first couple of days, I offered help by asking where the brooms were (I thought that such equipment was stored in each classroom, but instead students had to bring their own, which could be purchased for TZS. 100 in school), but the students I spoke to smiled and ran away. I asked teacher where the equipment was. She laughed (in a friendly manner) at me and said that I did not have to do it, because I was a guest. I told her that I felt very uncomfortable not helping, but she then said that adults did not need to do it, because these were the students' job. For me cleaning of school meant my way of showing respect to the environment I was in – the two Tanzanian schools.

The beliefs about children allow those who are 'better than unruly children' to watch and control them with sticks, and this leaves no space for recognition and encouragement of agency in childhood. However, children's activities that are often explained as a result of strict control by adults, who are 'better' than children, require explanation more in terms of children's own agency and their relationships to adults.

### **Obedience and children as school labourers and plane 2 and 3 relations**

O-Saki and Agu (2002) compared rural with urban schools, and found children were habitually used to work for teachers, in typical child-adult relations in Tanzania. Their tasks included washing up teachers' teacups and fetching and boiling water (by the girls), running errands for teachers (calling other teachers, buying soda) and marking test papers. The researchers reported girls in urban schools were treated more positively. Working hard for teachers could drain children's energy away from concentrating on their academic tasks, and if they achieved less they could be punished.

Ms. Khanga, whose daughter studied at Amani, criticised these practices in Tanzania in general:

Ms. Khanga: I am a parent of Zakia. There was one day I made a mistake. Zakia didn't like it. She saw it. That's it. I obey her. I tell her. She tells me [things I do that she doesn't like. 'Mother, I don't like it.' I said to her 'Forgive me, my

child. I won't do it again. Forgive me.' She has the environment to do so. She is herself here [at home]. Now if a teacher makes a mistake, there [at school] they...they...I mean like this. You submit/bow down [to the teacher]. I mean, you submit like [the teacher is] the God. Like when you go to a church or to a mosque. You just beg...You obey... Indeed this way a child obeys whatever. If a teacher...a teacher makes a mistake, but [it is] difficult [for] a child to tell the teacher 'You are wrong.' It is difficult here. But in other countries, it can happen. A child is allowed to tell teachers and teachers can obey the child. With no problem...A child could say 'Teacher, I don't like this subject at all. I don't understand this.' Then the teacher asks 'why is it?' [Then the child explains] and the teacher listens to the child. And indeed the child can succeed...Now here [in Tanzania] often *amri* (power or order) is used.

TY: *Amri?*

Ms. Khanga: Yes. I mean, forcible/vehement power [*amri nguvu* - *amri*: order, authority, power, directive, rule; *nguvu*: vehemence, authority, power, passion, energy, strength, importance]. Not love or not even instructions. No wonder you find many children, who don't understand not even how to read. [Teachers say] that there are too many children...There are other countries, where there are many children and they study and they know how to read. They [teachers here] are not very close to all children all the time. They know things, they enter a classroom, instruct, teach, 'you understood or not?'...[it's all about] the teacher's plan [and not the students' needs]. That's it. This is Tanzania. No wonder children are demoralised (*haribika*). They are not close to each other. I mean, a child could obey... Because [even if] the child is attending a lesson, [a teacher] could come and ask you, 'you in the classroom, teach yourself.' Tamaki, a teacher could come to a classroom and [a student could] say 'A teacher is asking me to run an errand for her.' This is not acceptable, but in Tanzania it works this way. You make the child to run an errand to find a piece of cloth. You have already finished the child. I mean, you have already destroyed her. You destroyed her. There is no schooling there. Only a [teacher's] plan. That's it. Because they [teachers] use power... A child should be allowed to ask questions to teachers, and teachers should be allowed to ask too, but the thing [teachers] give the child is punishment. This is how things are done in all schools in Tanzania!...When there is no teacher [to teach], what does a child learn in the classroom? The child only [learns to] be scared of the teacher.

Although I did not witness a child being asked to run errands during lessons, these rules of obedience and respect were endorsed by both students and teachers. Yet children were not always passive victims of such practices and many students always actively offered help. For example, when I was feeling too lazy to bring a chair to classrooms for myself, students offered me a seat or (quietly) brought me a chair from the teachers' room. During the break, there were always several students who undertook tasks in teachers' rooms in both schools. This was often taken for granted

and few teachers acknowledged their contributions, except when students failed to help (often because they wanted to play or talk with friends, or sometimes they seemed too tired and, like me, were exhausted because of the heat especially in overcrowded classrooms or from lack of food after skipping lunch).

### **Obedience is good but it's not all –plane 2 and 4 relations**

Editha (aged 15, Umoja) moved to Dar in order to find her father<sup>22</sup>. She was ten years old then, and a month after she arrived, she started attending primary school for the first time. She now lives with her aunt, a tailor, and wishes to continue into secondary school. I asked her about her own behaviours.

- Editha: I think I am well behaved, because I listen to a teacher, when I am warned. Also at home, I follow what my aunt says.
- TY: So you mean that you are considered well-behaved, if you listen to what your teachers or parents say?
- Editha: That's not the only thing. There are other things too...Like...making myself do things [without being told] (*unajituma mwenyewe*) is also a good behaviour. Not [waiting] until [things are decided] for you. 'Go and do this, and go and do that.' This is not a good behaviour.

Editha's example shows that students do not merely passively follow adult instructions, but exercise their own agency at planes of 2 and 4 relations. She recognises her own initiative to respect others by way of helping others as normatively positive behaviours and indicates that children do not obey those in authorities just because they are under their control.

### **7.2.5 Four planes and natural necessity of adulthood?**

As explained in Section 7.2.4 (also see Section 5.6), beliefs about childhood characterised by absence of agency can have real effects in children's daily lives. Likewise, beliefs about 'adult' maturity, responsibility, competence and freedom emanating from adult status are *affective* and inform relations at all four planes. This section shows how such conceptions of adulthood can contribute to the maintenance of unequal child-adult relationships.

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<sup>22</sup> I did not ask her whether she found her father, because she did not live with her father and felt that the question would make her feel uncomfortable.

### Imperfect adult and plane 2 and 4 relations

Even though many children (if not all) and adults stated that adults are generally better behaved they also often recognised problems of teachers. For example, here is a senior-level teacher's view:

Mwl. Oningo: ...Also some teachers here are not competent enough to do the job. They don't even try.

TY: Do you mean that they don't have the necessary skills?

Mwl. Oningo: They do [have the skills], but they are...lazy.

TY: I see...laziness.

Mwl. Oningo: Yes, *wavivu* (lazy people).

TY: Only very few of them though?

Mwl. Oningo: Yes.

TY: ...What makes you think that they are lazy?

Mwl. Oningo: They are lazy, because...Now you find a person who is meant to give lesson, give a lesson in the classroom, but you find the person having some tea in office...Until I tell the person to wake up and go to the classroom. It means that they don't know their responsibilities.

...Yeah. If I don't do this kind of inspection...that's why I walk around the school from there to here. So if they [teachers] see me leaving the school to go there [to the municipal to talk about staff shortage] they would start going [leaving the school]. So we have a problem.

On one morning, when the Amani students were taking an exam in their classroom, half the class sat outside with other classes (see Figure 6), for there were few *dawati* for exam seating arrangements – so they do not look at each other's papers. A teacher in her mid-20s was invigilating the exam, and another teacher later popped into the room for a chat. They went on talking (although quietly) and playing with their mobile phones, one having a bottle of fizzy drink, although they told the students not to make a sound, and to concentrate on their exams. There was further disruption, when students of the school next door played loudly during their break in their school's backyard outside the exam room's glassless window (from my fieldnote: 28 February in Amani). Although most teachers (and other adults) worked very hard under difficult conditions and few resources, being 'perfect adults' was not always easy for them, as it was equally difficult for students to be always 'obedient' and 'respectful' to meet adults' expectations. However by 'virtue of being adults', imperfect adults were taken as mere exceptions and were not disciplined in the same way as children. By marginalising the 'problem' of 'lazy' adults, both adults and children participate in the reproduction of the currently existing adulthood.



### **Mwl. Shitundu's typical week and plane 1, 2 and 4 relations**

As a mother, wife, Christian and teacher, Mwl. Shitundu described her typical week, combining different planes of being.

I am a female teacher, who teaches at the Amani Primary School in Ilala, Dar es Salaam. I am 46 years old...I am married to Mr. John Shitundu and we live in Buguruni...I have been working as a teacher for 24 years. I walk to work.

In the morning, I wake up and get my children ready to go to school as my children leave for school at 6.10 in the morning. Then I prepare water, clothes to wear, and breakfast for my husband. When that finishes I leave for work. When I am on duty [to supervise cleaning and assembly] I leave home even earlier. At 8.00 a.m. lessons start. I usually teach four lessons a day. Daily lessons finish at 13.20. After this time, I stay in the office to mark [students'] exercises [notebooks] and to prepare for daily lessons for Monday to Friday. In the evening starting from 4.00 to 5.30 p.m., I spend my time on various tasks for a church as I am a leader. After this time, I go home to prepare dinner and look at my children's homework. On Saturdays, I spend my time on house cleaning, washing clothes [by hand] and also for ironing clothes. In the evening, I go to church to spread the cloth. And everyday from Monday to Sunday starting from 8.00 until 8.40 at night, we have dinner. And from 9.00 to 9.30 at night, we pray together and read the Bible at home. After this time, I get myself ready to sleep.

She was a science teacher. Although her lesson followed the usual lesson format (30 minutes teaching and 10 minutes note taking) her lessons were always more vibrant, and she tried to stimulate students, for example by asking the whole class to give a student (who answered correctly) *hongera* (congratulationg) and using teaching materials she brought from home.

Teachers' backgrounds varied: they sent their children to private schools or to government schools; some had no children or else grown up children. They belonged to different religious faiths, Muslim or Christian. Most teachers arrived at school at 7.30 a.m. (or earlier) and stayed until around 14.00. When they did not have lessons (see Chapter 6), they remained in teachers' room to mark hundreds of exercise books and tests (Figure 7: a teacher's desk), preparing lesson plans, and answering students' questions, or dealing with other students' problems. However, some did not work, but spent time chatting with others, when the time could be used actually for and with students. Moreover, very short breaks (or no break at all) between lessons did not allow students to actively seek help from teachers. Students sat in the classroom,

copied texts, and left for home, unless they attended ‘tuition’<sup>23</sup>, for which they had to pay. Those who do not understand during lessons, and unable to pay for tuitions, are further and further left behind.

Most people in Dar have limited access to water and electricity. Several times during my fieldwork, neither water nor electricity was available for over a week. Once, there was a power and water cut for a month in one area, where a teacher lived. At schools, teachers had few teaching materials. Teachers were carers of students, and their family, and were active members of communities, with multiple relationships with authorities, neighbours and others. Their agential activities were constrained and enabled at all four planes of social being.

Teachers too seemed to have no power to question, challenge and/or change the traditions of teaching and learning. I sympathise with the material and social conditions that discourage and deter them<sup>24</sup> from questioning or challenging the traditions as I shared some of the multiple material and emotional constraints at all four planes – core universality as human beings. However, such conditions should not be used as scapegoats for their inability to meet children’s ‘needs’ as defined and often claimed by adults (including the local and national government officials and politicians, who constantly fail to deliver what they promise). Adults’ inability and constraints with regard to time, space and pressure (to achieve ‘national’ development) should be taken more critically, because while such conditions are identified to defend adults’ liabilities, those of children, who also share the material conditions are too often ignored or marginalised, when children’s agency is discussed.

### **Adults’ duties to provide and plane 2, 3 and 4 relations**

Although the problem of poverty was not dismissed, the group B interview revealed the importance of interpersonal relations and parental duties to provide education,

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<sup>23</sup> Tuition is not allowed in schools (*Waraka wa Elimu Na. 7 wa 2001*, MoEC, 2001b), because many parents are unable to pay. In Umoja school, children in particularly difficult circumstances and orphaned students were exempt from the tuition fees.

<sup>24</sup> see Bennell and Mukyanuzi (2005); and many reports about delayed payment of teachers’ salaries (Samwel, *The Guardian* (Tanzania), 16 May 2009).

when I asked: 'Do you think that your parents fulfil their obligations?' Chris talked how his parents fulfil their obligations. Then he added:

But other parents don't care about their children. Their children don't tell their parents [about their school lives and needs]. They leave them [the parents] who end up asking other people about things happening around their own children. Children, they stay at home, do whatever they want [bad things]. Then you see some parents come to school to complain when their children fail the exams. They fail because parents don't pay enough attention. They don't care and they don't know anything about the child at school [or make sure that] the child goes to school.

Hassani agreed:

You meet other parents who are wealthy. I mean, for example, they have a big house. I mean, they don't have problem living. So, [they might say] 'oh well, if my child studies and fails, I will send her to a private school. Or else she will inherit my properties, when I die.' I mean, the parent stops paying attention to the child... Now, the child who hasn't studied will not have enough knowledge so would not be able to use the inheritance properly. [The child would] have some fun and she would end up on the street.

### **Differences between childhood and adulthood and plane 2 relations**

When I asked if the differences between adults and children could also affect the ways they were treated Brandon (13, Umoja) said:

...Because youngsters like me don't drink beer, don't smoke cigarettes...yeah. And we sit in a classroom and study. But...a few adults could ask me to drink beer, smoke cigarettes, and ...make you do things that are harmful to you.

Zaina (age 14, Amani) also said that adults know better and that they can do more things than she can, but I asked her:

TY: Are there things that influence your rights and behaviours because of age?  
Zaina: The relationship you have there is...that is *mtu mkubwa* (an adult - big person) and you are the *mtu mdogo* (a child -small person) so the relationships necessarily become changeable. You see, so that person [the adult] can ruin me.

Both Brandon and Zaina said that adults are better, more competent and able to give better advice than children can. However, if the adults so choose, they can overpower children. Many students said that children are simply not listened to, for they are perceived as ignorant and incompetent. Unlike adults, children have not yet 'gone through a lot,' at least not enough to be like adults.

While both children's and adults' beliefs about childhood shape their relationships, children are often more than what they believe they are (more on this below and later). Likewise, beliefs about 'perfect' adulthood permit adults' authority over children, but do not necessarily attest to what adults really are. Children's time is controlled under much strict rules, whereas adults' time is often spent uncritically (see above). Childhood and adulthood that are formed through either actualism or idealism do not reach the intransitive dimension of childhood or of adulthood.

#### **7.2.6 Four planes and child's duty to be silent (and adult's right to speak)**

As the above examples in 7.2.5 indicate, almost everyone perceived silence to be a form of children's respect for adults. For example, while Zaina thinks that adults do listen to her well, when I asked her whether there was anything that she wanted to change about her relationship with adults she said:

Zaina:            Yeah. I mean, sometimes watu wazima...they just decide and talk about grown up things (*mambo ya uzima*) so I am not allowed to take part in it...Because they have passed my age, because they have passed my age, they just decide their own things...But because I haven't passed the age, I can't decide my own things.

The socially constructed nature of childhood reproduces (and is reproduced by) practices of inequity and domination in relation to adulthood. Thus relations between age groups and generations, more than chronological age alone, need to be treated as real social properties expressed in everyday practices, that address and reveal the mechanism of 'ignorant others' behind seemingly needy and problem childhood. This section analyses children's silence, which is often seen as empirical 'evidence' of their inferior status.

#### **Silence as embodied agency at plane 4**

Childhood involves absence of power because of the processes of relations by a determinate negation of their agency (that is power to cause to absent the child's intentional causality) in childhood. Children are expected to obey adult guidance and occasionally unfair demands. Challenging this authority is particularly regarded as difficult by children and 'bad' by adults. However, silence is not merely a sign of an incompetent and passive nature of childhood. Archer (2000) views agency as 'the necessary pre-conditions for human activity rather than passivity' (2000: 2). That

questions the agency of the silent child, living in relation to four planes as individuals and collectives.

In both individual and focus group interviews, against my assumptions based on literatures concerning children's participations in decision-making processes and their dissatisfactions with such status, many participant children did not explicitly refer to such feelings. It was rather this lack of expectations about inclusion that struck me. The absence of inclusion contributed to the engrained social system of non-inclusion of children's voices in the two schools and their surrounding communities.

Talib, who lives with his guardian (his grandmother), said (during an individual interview) that he didn't have anything he wanted to change about the current relationship with the adults around him. However, when I reminded him about his remarks about ill-treatment of children (during the focus group C), he responded:

Talib:        Yeah, with every family, every every community, you know...it is done like this. I mean, people...everywhere people live...things they...when adults talk about things...[if there are] adults and children, children know that they are treated so... I mean, if a child wants to talk about it too, 'You, what is it child!' adults intervene with the child so he can't say anything. For them, 'You, you are still a child. You haven't reached the age...like us adults. We don't listen to you.' So the child has no chance to talk with adults at all. '[Adults would say] we want the community to have respect.' This is the way we are taught.

The children viewed themselves as responsible and contributing members of their family, but without rights to be heard, or to be seen as reliable, competent, and thus capable of being responsible for making decisions. The actually contributing children and the often imagined socially constructed view of children contradict each other, and further marginalise children's moral status. This can be analysed in four ways. Firstly, the agential activities of many children are all too often taken for granted, and at best they may be praised for obeying orders, effectively denying their agency. Secondly, this non-recognition of their ability does not encourage their confidence, which would help them to become more competent agents (see Alderson, 1993). Thirdly, the Tanzanian emphasis on 'respect' meaning 'obedience' or '*utili*', particularly in child-adult relationships, leaves no space for children to air their voice.

Fourthly, this is all reinforced by the presence of the 'stick' or the absence of peaceful relations.

### **7.2.7 Four planes and the moral status of childhood – some questions**

The above examples point to differences in moral status between adulthood and childhood at plane 3 and in interaction with other planes, and show that moralities upon which we base our understanding about 'good', 'bad', 'right' or 'wrong' intersect with children's embodied experiences in many ways. Moralities involve different competencies, economic (Section 7.2.2), practical (e.g. ability to cook, Section 7.2.3), behavioural (resistance to or acceptance of authority, Section 7.2.4), responsibility and duties (helping with household work, being silent, Sections 7.2.4, 7.2.5 and 7.2.6) and integrity as an agent able to act from personal moral convictions for one's own and others' well-being – influenced by relations at four planes (Section 7.2.6).

#### **The economic competence and status of children and plane 3 relations**

Children, and particularly poor children, are often treated as morally responsible actors. They are expected to cope with harsh conditions, and not to complain, for example, of being very hungry but instead to carry on with 'normal' school childhood. Many writers (e.g, Montgomery, 2001; Penn, 1999) report how poor children contribute economically and in other practical ways more than many wealthier children do, even though they often enjoy much higher respect with relatively greater opportunities to express their views and feelings.

However, as the above examples indicate, practical respect for children's agency is not often matched by conceptual respect for their rights and agency, which tend to be subsumed to the rights of adults or the whole community. For example, Penn (1999) indicates how young children in pastoralist communities in Outer Mongolia are expected to work as herders, while they are taught not to express their opinions and feelings (also see Section 7.2.6). This is shown with more examples and in relation to MELD (see Section 7.3 below).

### **The practical and moral competence and status of children and planes 2 and 3 relations**

In addition to the gap between the above illustrated children's assumed and real ability, expectations about what children should not be able to do are also present.

Yahaya (age 15, Umoja) spoke about children's exclusion from questioning school rules.

I am at the very bottom [of the system], (*Mimi niko chini sana*), and the people who set the rules are at the very top (*wanaoweka kanuni wako juu sana*). Maybe, when I study, if I find my way into the Ministry of Education, and reach that level, then you can change it. Because I don't like the school rules they set!

When asked whether he felt that adults were different from people of his age, Talib replied:

Every person has his own intelligibility and each person has his own understanding....It doesn't matter. Age...a person can use his age badly to hit them [children and] the person becomes a bad person while saying things about being a child [*mdogo* -a small one].

Consciously (or unconsciously) these children felt the lack, negation, emptiness, marginalisation, denial, contradiction, exclusion, separation, constraints, limits and suspension as bearers of agency and rights in relation to social structures. What do the determinate absences of power of agency in childhood imply? What does the mechanism of emergent powers of childhood point to? The next sections analyse how the absences and the MELD concepts help to further enhance the understanding of possibilities of power in childhood that can change or reinforce present child-adult relations and interactions.

### **7.3 MELD and childhood**

Whereas Section 7.2 explained absence in childhood within four-planar social being, Section 7.3 will examine processes of and in non-being, becoming and begoing within MELD. MELD (see Section 5.6) relates to power as both power<sub>1</sub>, in possibilities of transformation and freedom, and power<sub>2</sub> in constraints and limitation to freedom, which deagentify children and adults.

### **7.3.1 First moment as product: destratified childhood as absence of adult status**

This section shows how the existing beliefs about childhood, sustained by the epistemic fallacy, absent children's agency by destratifying the ontology of childhood.

#### **The epistemic fallacy and destratified childhood**

Critical realism argues, metacritically, that the epistemic fallacy collapses ontology into epistemology. This destratifies being, instead of recognising the ontology of stratified, differentiated and changing being with absences as part of the natural necessity of being. For example, in developmental psychology, childhood (see Chapter 3) is destratified, transitive, and non-emergent, analysed at only the empirical level as a flat and isolated product, at 1M. This ignores the critical realist concept of non-identity or absence, and fails to identify agents' false beliefs, misunderstandings, and unawareness of their actions (Bhaskar, 2009: 166-167). This destratified childhood is then divided into stages of psychological development, non-processual in itself, but appearing as a chain of separate and observable products. At 3L it is disconnected from the self, others, and the environment, into separate processes of independent products. At 4D it is deagentified, seen as incompetent and an abstractly processed non-concrete-singular product. Therefore the possibilities of power<sub>1</sub> of challenging, and of transforming existing structures are lost at 1M. Instead the dominant view of childhood in power<sub>2</sub> relations can alienate agents at all four planes.

The existing beliefs about childhood intensify fear of change, fixed unequal intergenerational relations and false child-adult dichotomies. Emphasis on 'negative' qualities in childhood and the need to 'correct' or 'address problems' through 'positive', 'rational', 'mature' adult control adds to childhood's inferior status. Instead of identifying problems of negation of non-identity to illuminate relationality of and in being, the beliefs problematise childhood as a prelude, a period merely 'different' from adulthood that requires correction, control, and protection to prepare for adulthood. The 'problems' lie in this state of being itself – childhood – and the solutions in becoming adult.



Critical realism, however, sees real being as constitutive not only of the positive, but also of the hidden negative, often manifest as desire, need and lack, so that 'non-being has ontological priority over being' (Bhaskar, 2008b: 39). This ontology of absence is the locus of change. Thus children's accounts of 'not being able to express their opinions' to adults, and children's desires to express their views show an absence in childhood (see the examples in Section 7.2), which helps us to understand and appreciate the worth of childhood instead of problematising the state of not-adulthood. Further absences, which include non-recognition of children's 'adult-like' behaviours and competencies, are discussed below.

### **Giving advice**

For Talib, their age disqualifies children from giving advice to their elders, because children are simply not listened to.

[Age] affects even like...if [a child] wants to tell this thing that the staff are talking about, [and you tell them] you don't like this, and you don't like this, because of this, and because of that...[but] you can't say anything, when they agree with each other. Even if you do talk, you wouldn't be listened to.

Brandon added a different reason.

Adults often behave better [than children]. They have better behaviours, because they are *wakubwa* (big people) and also they have gone through a lot in their lives, so they can give me good advice than whose...who are *wadogo* (small people) like me. So you can say that *watu wazima* (full people –adults) have better behaviours, and can also give me advice. Adults don't play like we do. When they play, they do quiet things like board games, and sit quietly. But yeah, people of my age, they play and when they play, they make a lot of noise.

In these ways children and adults reconstruct childhood (James and Prout, 1997).

Children are inexperienced and not 'full people'. Their beliefs shape their identity and relationships. However, this epistemology of childhood does not necessarily reflect the ontology and natural necessity of childhood. Metacritically both positivist and Interpretive approaches lack the ontology and epistemology of childhood, conditioned and multiply determined in open system(s) or partial totalities. The critical realist approach, however, explains how the dominant approaches ignore negativity in favour of positive presence. Instead, the critical realist ontology includes positive absences (e.g. contradictions between our beliefs and practices) as part of stratified reality. By recognising the irreducibility of epistemology to ontology (and

vice versa), critical realism reveals more about the effects of the epistemic fallacy and purely positivist account of being on childhood as a status inferior to adulthood.

The transitive dimension of childhood also relates to adults whom Talib referred to as the knowers. Yet the relatively enduring ontology (intransitivity) of childhood as relationships between social positions exists synchronically and diachronically, whether they (the knowers) refer to it or not in their historically conditioned beliefs about childhood. When this transitive dimension is expressed, in the example of not permitting Talib to talk, the beliefs about childhood become objects of Talib's intransitive dimension of childhood, through which Talib is socialised and learn to be silent around adults (see Bhaskar, 1998: 36 on 'socialisation'). Here the knowing agents participated, consciously or unconsciously in reproducing childhood (and adulthood) as periods, in which children's experiences and perspectives are often 'absent' (Bhaskar, 1998; Mayall, 2002). Therefore the materiality of intransitive objects is not reduced to directly observable things but also involves processes and extends to non-identity or absence in the 1M, which then runs through the MELD formulation.

### **7.3.2 Second edge as process: denegated childhood as absence of continuity and change**

This section turns to 2E the process of childhood that is mediated by power<sub>2</sub>.

#### **Future responsibilities – the irresponsible child?**

The sense of becoming and begoing is often felt and expressed by children in terms of their 'future' responsibilities. Brandon commented:

At the moment, they [parents] educate me, they raise me. So at the moment, I can't do anything for them. But when I grow up, later...after being well educated, studying very hard, I really want to help my parents. I mean, because...for example, I want to provide them with like food...because my parents would be very old. So indeed I will become the one, who is relied upon...Yeah, and I want them to live peacefully like they raise me.

Brandon repeats the concepts of adults being the better-behaved *wakubwa*, while *wadogo* 'can't do anything for them' now, dismissing his present caring work when power<sub>2</sub> thereby negates the worth of being a child.

### **Being small and growing bigger**

The bodily experiences of 'growing up' and 'growing bigger' were accompanied by changing obligations and rights, often assigned by adults. Some children said that they were able to spend more time close to their parents when they were small. On crowded *daladala*, very young children were invited to sit on a random adult passenger's lap, while slightly older children were squeezed into a most uncomfortable corner. Although some children gradually acquired rights to be listened to, many children were dissatisfied with adults' inconsistency and low respect.

### **The unreliable child?**

Teachers, parents and other adults obviously loved children. Very often teachers expressed their empathy and commitment to protect children from harms, especially those living in particularly difficult conditions. Many of the teachers were parents, and some of them bought food for orphaned children. However, it seemed difficult for some adults to believe children. For example, I asked Mwl. Milinga whether he thought that he listened to students enough and asked them for reasons for their misbehaviours.

Mwl. Milinga: ...that they [students] tell me? Reasons? Children's?

TY: Yes, can you give me some examples of their reasons?

Mwl. Milinga: In many cases, first of all, I ask them. But when I ask them, because very often those children are not honest... not truthful. I mean, they are liars. Very often they like to tell you lies.

TY: How do you know that they are [lying]?

Mwl. Milinga: For example, like that youngster, who I punished today...he told us that he didn't have enough money, and that he didn't have necessary things. When that older brother talked to him, he said he was a liar. You see, he [the brother] works and gives him a good way of going...But he was lying. That's how he found a way to speak out for himself. Where do we find a solution? A mistake has been made, now he had to find a reason. Anyone who makes a mistake has his reason. If I hadn't allowed him to find a way to defend himself... you see, we allowed him to explain why he made a mistake and it ended up like this.

I would not argue that children never lie, although people are more likely to lie when they are afraid within power<sub>2</sub> relations. One boy, Yahaya indicated that some students lie to teachers so that their classmates get punished, but he did not thus conclude that children lie more than adults do.

### **Learning and absence**

All participants recognised education, usually schooling, as an important and positive component of childhood. Students told me that children have the rights to study, to have necessary provisions (such as food, clothes and healthcare), but their learner status in power<sub>2</sub> relations undermines the recognition of children as already-knowing agents, who might know what is best, and tends to equate education with the state of lack of knowing rather than process of learning. Children's liabilities to 'bad' morals are emphasised over their capacities to maximise their already existing morality. Learners are often seen as 'empty' (absent) canvases that need to be set up properly by adults then choose objectives, plan, sketch, and colour the empty canvas – childhood, at best doing so with children under their supervision.

### **Continuity and change – aspects of children's story in time**

At 2E, Andrew's view of his 'future' responsibilities illustrates how childhood mediated by power<sub>2</sub> is denegated<sup>25</sup>. A sense of continuation as a stratified person with an underlying embodied identity is lost. Although he is aged 14, Andrew says he can contribute to his family only 'when' he grows up, 'later' and 'after' studying very hard, not while a child – in the past and present. He waits until he is *mkubwa*, when his parents are old, and he has departed from his past childhood. There is a clear discontinuity, a disconnected sequence of linear developmental stages, between the child's past, present and future tenses: the small person now cannot contribute, only the future big person can. He cannot say he is small and also capable now.

At 2E, Andrew's nature as a person is taken as a fixed biological and scientific fact and not as a possibly contested epistemic perception. In the lack of acknowledged contradiction, the rhythm or edge of change is lost. Nieuwenhuys (2005) points out that children as well as adults use age as one of the most important markers of their (changing) identities, and it is a real element of their lives, child and adult, dependent or responsible person, divided by 'the magical age'. The edge-less childhood<sup>26</sup> is denied agency, which the absolute other – free and autonomous adulthood – enjoys.

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<sup>25</sup> 'denegation' means denial of absence in being

<sup>26</sup> However, interestingly fictional representation of the edge-less childhood in some cultures (e.g. Peter Pan in classic children's literature in English) is often characterised by the reversal of childhood-adulthood relations (due to adults' inability to participate), under which children assume agential

### **7.3.3 Third level as process-in-product: detotalised childhood as absence of sociability, individuality, and solidarity**

Section 7.3.2 argued that power<sub>2</sub> mediates childhood in ways that negate the causal power to change and disconnect its processes. This leads to further splits at 3L under power<sub>2</sub>.

#### **Fear of change and disconnection**

Fear of change sustains unequal social structures, with the likelihood of: 1) absence of agency or unactualised agency; 2) inaction; 3) compliance; and 4) indirectness of the human agency (Bhaskar, 2008b: 158). For Bhaskar this 3L, third level, moment under power<sub>2</sub> pertains to sub-totalities that are characterised by discontinuities, splits and closure. However, dialectisation of continuity and change points towards partial-totality that is broader than sub-totalities, because we live in an unfinished open-system.

Earlier examples of the alcoholic parent and unruly child, and the violent teacher and truant student, can be described as relationships of indifference, separation, ignorance, aggression, and violence. They are detached from each other, but the detachment is a condition of desire to change. 3L is embodied by the (apparently) disconnected but personal relationship between the adult and child. However, as the group B interviewees said, such a structure of separation (or absence of connections with others in lived experiences) has a real effect on how both children and adults act in virtue of power<sub>1</sub> that contains power<sub>2</sub>. The desire to absent the lack (of connection with others) is voiced by the students as the child's needs to have caring and peaceful relationships with the adult, in order for the child to have good behaviours.

The disconnection with others is often perceived by the adults and children as the evil of contemporary society, when children ought to be objects of control and supervision. They regarded street life (a result of disconnection from the others) as

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activities in the world (often) sealed off from adulthood – normality/reality – which, nevertheless come to an end once they (e.g. Wendy) return to 'reality'. Similarly, children and young adults are often seen as more competent than older adults in the online world. This seems to link to the idea of the 'tribal child' approach (Chapter 3). However, from a critical realist perspective at plane 2, interpersonal relations, this can be seen as adults' efforts to marginalise and control children's agency in order to reproduce the mechanism of adult superiority as the only active agents in an assumed world (i.e. negative absence of adults for positivists).

introducing children to the evils of society – drugs, alcohol, rape, swearing, and disrespect – absence of order and the embodiment of loss of socialbility and solidarity. This further induces the fear of change of the existing structure in pursuit of the idealised vision of society, where respect is equated with obedient silent children being socialised towards perfect adulthood from which inevitable weaknesses are absented. As Norrie (2010) points out, Bhaskarian dialectic moves forwards and backwards. Absence of connection thus alienates the self from all four planes that correspond to 1M-4D. This section has shown how 3L, mediated by power<sub>2</sub>, destratifies, denegates and detotalises childhood and adulthood, and this leads to 4D.

### **7.3.4 Fourth dimension as product-in-process: deagentified childhood as absence of freedom and concrete singularity**

In the DCR of agency-structure, the 4D moment of agency can either maintain or transform the structure to realise one's possibilities as a concretely singular agent.

#### **Absence of fair access to *daladala* and children's response**

The children's problems with the *daladala*, explained earlier, led to relationships with the *konda* that were openly resentful and unlike their relations with other adults. For example:

- Andrew: I think I want to change the situations with like...those *konda* or drivers. They don't treat me very well, and I don't like talking to them.
- TY: Why?
- Andrew: Because...they...I mean, they just want to do their job...like driving, selling... Now I am a student, I study, so I need to follow what my elder brothers or sisters say, but not those people. They can't give me any advice. They only do what they do.

He assigns *konda* or drivers lower moral status than other adults he knows. Children thought the source of the problem was that they paid a lower bus fare, and they tended to blame *konda* for their greediness. Moreover, Andrew criticised a lack of care and interest and absence of direct connection with children.

Although most students walked long-distance, many depended on the *daladala*, and in the mass media almost every day I heard and read about the campaign for equal treatment of children on the *daladala*, as part of their right to education and access

to school. Such advocacy often directly quoted children's views to the public, as if it was appropriate to allow children to voice their feelings about this problem. Other possible reasons for the support about the bus might include: adults could see the children's difficulties; and they shared and felt and experienced some of the same difficulties as bus passengers. The adult support with helping to change the problem could increase children's confidence to articulate their thoughts and feelings and to exercise their competence in this concrete situation. In this supportive environment, children's views are given due respect and recognition unlike other situations, where they are marginalised, denied or ignored. This example shows how a child's potential for independence or increased autonomy can be enhanced through a more relational approach that absents the absence of respect and recognition.

#### **7.4 Childhood and the absence of informed desire - summary**

Chapter 7 has argued that the existing account of childhood is often clearly distinguished from adulthood in practical, cognitive, emotional and moral ways by showing how the existing epistemology of always perfect adults and imperfect children and the ontology of sometimes imperfect adults and responsible children are in dialectical relationship. Chapter 7 also emphasised the embodied nature of childhood concerning age, size, and generational relations, which are also socially constructed, but nevertheless exist independently of our knowledge of them. Using the concepts of four-planar social being and MELD, I have argued that under power<sub>2</sub> relations, absences set out real structures that constrain (although they do not determine) and alienate children as human agents in ways that are essentially relational.

Bhaskar (2008b: 169) argues that praxis requires informed (versus misinformed) desire (Section 5.6). Unlike many existing understandings of childhood based on purely positivist accounts of the object, DCR reveals the more complex nature of childhood constituted as status and process. Particularly 3L as a process of individuation, including constellation between the self and the other, which itself has its own causality (Bhaskar, 2008b), provides a different understanding of individuation. Unlike the dominant idea of atomistic individuals, individuation as process leads to concretely singular agents, who bear the axiological needs to act

further anticipating the moment of concrete-universality. In the world mediated by power<sub>2</sub> relations, the false beliefs of childhood prevail. Desire that drives MELD can be seen as misinformed. As Bhaskar (2008b) argues, referential detachment entails possibilities of both freedom and alienation by the very virtue of its geo-historical processes. The existing beliefs about childhood can alienate and deagentify both children and adults alike, until they feel they are unable to act, for example, to put the UNCRC (UN, 1989) into practice unless their belief change (more on this in Chapter 9).

The dominant view of childhood is often characterised by destratification, closure and splits, 1M, by separations and fixity, 2E, with the emphasis on deficiencies in childhood that is short of (thus not-in-process) characteristics associated with adulthood, thereby alienating childhood by exclusion or oppression 3L, unless ways are found to recognise children's agency and freedom (4D) as a concretely singular *human* agent. Before this is analysed further in Chapter 9, Chapter 8 considers punishment.



## **Chapter 8 Punishment and critical realism – the punished bodies in pain**

### **8.1 Introduction**

Chapter 4 outlined philosophical arguments about corporal punishment and identified the explicit epistemology and implicit ontology in the existing arguments that tend to split reason and emotion. They often ascribe to the mind, qua rationality, the role of controlling the 'unruly', 'selfish' and 'imperfect' body in pursuit of linear 'progress' towards freedom. The critical review of Durkheim and Foucault indicated the importance of relationships between emotions and rationality, and an explicit ontology of universal human nature and ethics regarding punishment. This chapter focuses on the nature of punished bodies in relation to the nature of childhood as four-planar social being (Chapter 7), which is mediated by power<sub>2</sub> relations. The aim is to critically examine the role of the splits (e.g. between reason/emotion and mind/body) embodied in punished and disciplined children's experiences that were questioned in Chapter 4.

In order to illustrate reason-emotion and mind-body relations, Section 8.2 shows the alienation of the punished bodies at four planes. This is followed by consideration of the processuality of the alienation caused by absences under power<sub>2</sub> relations through MELD. The chapter ends with a summary.

### **8.2 Four-planar social being and the punished bodies**

Section 8.2.1 looks at the nature of punishment through individual children's experiences, and illustrates how corporal punishment absents well-being of both mind and body contradictory to what is claimed by many adults. Section 8.2.2 explores the claims and 'good intention' of adults through the spatial and temporal control of children's bodies in the schools. In Section 8.2.3 the wider context (law and policy) that imposes contradictory conditions and circumstances, in which corporal punishment of children is accepted through a parent's experiences, are considered. The following Section 8.2.4 demonstrates how the rhetoric of responsibility is actually a form of blaming others. In Section 8.2.5, discrepancies between practice and rhetoric exemplified in the four previous sections are linked to the role that schooling

and education play in conjunction with intergenerationality and children's internalisation of pain for the 'future'.

### **8.2.1 Punishment, pain and shame at four planes**

Chapter 4 reviewed the inability of the utilitarian, deontological and other approaches in ethics to resolve the problem of the disjunction between individual and social justice (more on this in Section 8.2.5). This section therefore works towards resolution by focussing on the nature of punishment as embodied in individual children's experiences.

#### **Pain as plane 1 relations – the bodies that remember pain**

The agent's transactions with nature emerge at plane 1, through which power<sub>1</sub> mediated by power<sub>2</sub> is manifest in relations between emotions, bodies, well-being and the environment. Archer states, speaking of the self, that 'the body "remembers" pains and pleasures' (2000: 202). An example can be my ability to anticipate the discomfort and tiredness caused by sitting on *dawati* (a long desk with a bench attached to it) with students for several hours in a crowded classrooms in the two schools observing rote-learning lessons most of the time (or sometimes no lessons due to the absence of teachers). Rain sometimes poured in through the windows. Under power<sub>2</sub> relations, children (and adults) are too often alienated at the physical level of plane 1.

For example, in Amani School, the only rooms that had glass-windows, fans, and properly fitted lights were the newly built computer rooms, which were least used. In the classrooms, with parts of the ceiling plaster coming off and no light bulbs fitted into the sockets, darkness during rain or heavy clouds made both students and teachers unable to read and write comfortably.

Students showed memories and anticipation similar to mine, when their behaviours were changed by caning on their bodies. They recognised the pain they had felt more than once before, and projected fear and shame. Yet it is argued that the cognitive element (knowledge of how it might feel) of our emotion implies its transitive fallibility, and that these emotions are not determined by the environment (see

Archer, 2000; Collier, 1999). For example, sitting on *dawati* was not as uncomfortable as I often felt, especially when the students were more involved in lesson, because it made the observation more interesting.

Still yet, the body remembers, and pain the body experienced as biological sensation as well as emotion alienates the child as an agent at all four planes mediated by power<sub>2</sub> relations. As Upendo (age 12, Umoja) said, a child can 'just remember that...that caning.' Looking at a teacher picking up a piece of tree branch in the school garden would not have caused anxiety, distress, shame, and fear (to me and to others), had the practices of corporal punishment never existed. Hassani in Focus Group B spoke of emotional and physical pain.

Hassani: ...For example, failing an exam. You would be sent to...I mean...you would be made to go around the whole school. Students would boo to you. Your juniors of the first grade would boo to you. Now your juniors in the first grade, I mean, they boo to you.

Shabani: Yeah, they do.

Hassani: I mean it becomes like this, I mean booing...[recording unclear]. These punishments should be banned I mean. Punishments, I mean...a person, who has made a mistake...[For example] you failed maybe. [If] you fail, all your juniors boo to you. I mean...this punishment is no good.

They were referring to the punishment of hopping up and down. It is not difficult to imagine the pain caused by the punishment of going around the whole school in squat position, but what Hassani emphasised before he talked about physical pain was the emotional pain that he embodied in front of his juniors – shame. The humiliation was made visible through the public display of punishment. Moreover, as the extract indicates, punishment that is intended to make the students embody and display shame and embarrassment to the others further alienates the punished person from the self. However, this intention (of shaming) serves 'no good' as Hassani says. The loss of control of his own body experienced through pain and humiliation, as well as embodied reactions of derision by the spectators alienates the punished person from his physical and psychological well-beings. The very capacities and liabilities of our natural necessities at plane 1 are deeply related to plane 4. The others in Group B then continued to talk about how (particularly severe) punishments can alienate them at plane 1.

- George: These...These...[punishments of] hopping up and down. Because if you are made to do so [recording unclear].
- Chris: Legs hurt...he can even fail to go back home.
- Shabani: Then, I mean...if you do hopping up and down there and then if you go to the toilet you cannot bend over...both your legs are dead. I mean your knees are totally dead. I mean, if you do that, then go to a toilet, you can't even bend over.
- Chris: I mean, example...for example...this punishment you get today, I mean, you are punished today, then tomorrow, tomorrow when you wake up these legs would hurt so much that you cannot even go to school. Because everywhere in your legs would hurt.

They did not stop here. They continued to talk about how this can influence their behaviours, suggesting the powerful emotional effects of punishment even referring to 'war'.

- Shabani: This becomes the cause of vagrancy.
- Chris: Yeah, really is the cause of vagrancy. You find a child starts doing bad things. School...war. Then this punishment, this punishment...punishment is...punishment of like being hit in school...this violence...it makes people to fight each other. I mean, violence and punishment are different.
- TY: How [are they different]?
- Hassani: ...Now you find students go on strike. That creates violence. I mean...violence...violence between students and teachers. I mean...students refuse being hit and...and teachers want to hit children. So it creates violence...until...until...the case reaches to the head teacher. The results I mean...students, who refused [punishment] would be punished.

The above shows how the alienation at plane 1 as alienation from one's own body (loss of control over one's own body as well as the presence of pain and absence of physical well-being) until their legs can be 'dead' leads to constraint on access, for example, to schools and toilets. It is based on the reason/emotion split that underlies the justification of punishment (Chapter 4) and is implied in the adults' 'intentions' to cause pain in order 'for' the students to learn how to overcome or control the physical pain through 'adult-like' mind or reason (Chapter 7). The negative emotions such as shame or embarrassment are also very often regarded as an essential part of punishment in learning 'how to control the body' and perceived childishness through the mind.

However, as the critical review in Chapter 4 indicated, punishment is an inherently conflictual and deeply emotional issue, embodied in the bodies of the punished as well as those who punish. The rage in reaction to the rare example in the news of the caning of teachers (Chapter 1) is one example of the humiliating nature of punishment. However, support for corporal punishment of children (though not of adults) continues to rely on the rhetoric of the childhood/adulthood splits, and it applies a double-standard, with respect only for 'naturally' respectable and autonomous agents – adults. In order to examine the contradiction between practice and rhetoric, I will briefly re-examine Hegel's deontological argument that resonates with interviewees' views.

Hegel emphasised the importance of the individual as a rational being endowed with rights: the punished person is both an embodiment of his own 'rights to be punished' to restore his rationality, and as the embodiment of the rights of the others to restore their infringed rights (see Section 4.5). From this perspective, children's bodies can be understood to embody the rationality of adults as rights holders, judges and administrators of punishment. The punished bodies of children also embody their future rights, to which they will be entitled when they are older, wiser, competent and rational. Their rights as human beings in the present-tense are absent, because the punished child has infringed the others' (the adults') rights. Children's rights to peace and integrity, and to respect for their worth and dignity (UNCRC, 1989) are suspended in the present but their 'rights to be punished' are given by adults to teach rationality. Indeed any person who is physically punished embodies the absence of their own rights in the present tense in promises for their rights in future. The punished children lose access to well-being in their own body and emotions in the name of 'reason' and of a mind that needs to be restored or nurtured. Corporal punishment is justified by the reason/emotion and mind/body splits under power<sub>2</sub> and alienates children at planes 1 and 4 in the name of peace and justice at planes 2 and 3.

### **Owning the body and mind at planes 2 and 3**

Hegel's deontological justification understands punishment as a means to obtain 'rationality' for both the punished person and the ones who punish. However, adult

rationality, supposedly restored through punishment of children, is based on rejection of the very status of children as rational rights holders. As students, they are not allowed a sense of owning one's own body (not as a commodity, but as having some control and rights over one's bodily integrity). Instead, this is taken away through punishment at plane 2 and 3, where the split raises questions about the rationality of protests and resistance.

Resistance against boring rote-learning, often exacerbated by hunger, and lack of adequate seating, lighting and textbooks, alienates children at plane 2. Adults often see resistance as irrational and emotional, and react violently, or else ignore and deny resistance. Although adults and children at plane 2 share hardships and problems of scarce resources, this can further alienate and divide them at plane 3. For example, unequal access to good sanitation (in both schools teachers had much cleaner toilets) appeared to be understood, and taken for granted as the inevitable 'reality', which children are too immature to understand. Any complaints could result in further alienation, when children are seen as too ignorant about the 'reality' that they contend with.

Children's resistance was also often regarded as the sign of their inability to understand the 'good' intentions of the adults for children. Children's protests, be it against increased bus fares, strict school rules or physical punishment, are often taken to prove their 'needs' to be nurtured, and this can lead to more punishment instead. The punishment then further alienates the children from the self – emotionally at plane 4. To repeat Hassani's remark, 'The results [of resistance] I mean...students, who refused [punishment] would be punished.' Why is this so? What is punishment believed to achieve for children and society?

Utilitarian justification of the harm/benefit approach and benefitting the majority is also based on the splits. However, most students condemned corporal punishment as both emotionally and physically harmful (and increasingly strongly as their interviews progressed). They testified that caning can create further violence or 'bad' behaviours. The justification of punishment to benefit the majority (the school or

society) or to serve the real interests of children also failed in their view. However, some adults interpret that view as another sign of children's immaturity and incompetence. Resistance by children as persons, who are only allowed limited control over their own bodies, can serve to further justify corporal punishment. Although children's resistance indicates the very irreducibility of emotion and rationality, dominant beliefs about childhood block recognition of this connection.

Paternalist education views feelings such as guilt, regret and shame as part of the sense of responsibility and the 'good' that can be taught through punishment. In contrast, most young interviewees attested that such feelings are harmful and degrading and limit children's possibilities to learn. Punishment, they said, can make people fight each other by building up, feelings such as *sugu* (apathy), *chuki* (hatred, resentment, rage, bitterness), *ubaya* (badness, spitefulness) and hurting their *moyo* (heart, feeling, also means centre) as many students described.

This disbelief in punishment expressed (mainly) by children questions the traditional epistemology and ontology of punishment. Especially the possibilities of the punished bodies to resist as the embodiment of children's potential for autonomy and agency are, as described in Hassani's imaginary scenario of students going on strike, easily suppressed by the teachers (more on this in Section 8.3). Students' actions as rational-emotional agents can be subjected to punishment by the powerful, but not necessarily the rational, agents who may be free from emotions, the teachers. They 'want' to hit students, because the students resist, not necessarily because teachers have a rational moral obligation to educate students for their greater benefit, and to set examples of human perfectibility. Instead, teachers are liable to become active participants of a violent society.

As Durkheim (1964) argued, punishment can be an expression of 'collective conscience' that emerges from irrationality and emotion. However, Bhaskar points out that Durkheim heavily emphasised the 'collectivist' conception and assigned to collectivity the role to maintain and reconstruct enduring relationships, whereas critical realism conceptualises the collective as the expression of enduring

relationships through the coercion of the individual (1998: 30, 31). The above extracts show how corporal punishment of children needs to be seen more as an expression of enduring child-adult power<sub>2</sub> relations that alienate children particularly at planes 1 and 4, based on emotion/reason and mind/body splits.

### 8.2.2 The controlled bodies in school

Section 8.2.1 pointed out how the splits sustain the existing power<sub>2</sub> relations in corporal punishment and how enduring unequal relationships, expressed through punishment of children (not adults), alienate the punished bodies at all 4 planes, reinforcing concepts of childhood (ignorance and irrationality).

Writers such as Katz (2004) and Simpson (2000) analyse the close surveillance of children's space and time, often arising from adults' concern to protect children, but also from non-recognition of children's own agency. This section focuses on such spatial-temporal surveillance of children as four-planar social beings, in relation to corporal punishment. It shows how children's physical and emotional 'emptiness' (not owning the body and mind: alienation at planes 1 and 4) inter-relate with alienation at planes 2 and 3.

#### Play and four planes at home and school

Children's behaviours, use of time, dress, talk, and relations with others were closely regulated in homes, schools and other public spaces at the level of planes 2 and 3.

The focus groups listed freedom to play as one of the important features of childhood. Play defines relations at inter-personal and institutional levels.

Hassani: I mean, a child, first of all, should have freedom to play. Now, you find some parents in the morning. They would shut the gate for the child who cannot go to play. Now, this child would be, I mean, would get used to the environment at home. I mean...so it affects a lot. A child should play so that her *akili* (intelligence, knowledge, understanding, mind) stays well.

Chris: Or to let *akili* rest. I mean...to calm down *akili*.

Hassani: I mean, I said like this, I mean, a child...a child I mean, should play. Now you find some parents who don't let their children to go play outside.

(...)

George: I mean, because, erm...a child should play. Because, play erm...helps the child to gain *akili*.

Chris: And to be healthy.



The groups valued the well-being of *akili* and physical fitness through play, children's ability to think for themselves (self-care), and 'the joy of play', but they explained adults' power to interfere and restrict children at home and school (see Figure 4: standard 3 Umoja students playing in school garden). Restrictions on play at planes 2 and 3 can also alienate children as autonomous beings at planes 1 and 4. By limiting their freedom and the ways through play that they develop and maintain their well-being. Group B discussed how time for play needs to be balanced so that it does not interfere with their 'more important things' – study – in which they saw more value for their 'future' benefits (more on this in Section 8.2.5). The next section shows how the 'more important things' in school link to the surveillance of schooled bodies.

*Figure 4: Umoja students playing in school*



### **The schooled bodies at plane 3**

Schooling always involves surveillance and control of the body through the timetable, seating arrangement in classrooms, how to stand in silence, how to march in and out of school morning assembly (*mistari* – literally means lines or rows), uniform and appearance and many other rules of time-space control that permeate schools. They assist teachers in gaining power over the otherwise 'impossible', to use Mwl.

Oningo's words, children's embodied behaviours at plane 3. Most children said that school discipline was more difficult than discipline at home, because their use of time was set up for them, and any transgression meant punishment. They echoed Mayall's (2002) argument that children experience schooling as hostile to their bodies. The

more rules and control, inevitably the higher the risk of children's transgression, effectively making children believe that the rule of obedience is a form of good morality (see Chapter 7). Thus in child-adult relations influenced by power<sub>2</sub> the only way for children to avoid punishment is to obey the rules, which are taken to be moral codes of the good society.

Teachers' knowledge about individual children's behaviours is gained through observation of their movements, and children are measured against strict rules and labelled either 'good' or 'bad' (i.e. compliant or noncompliant) in ways that do not apply to adults (see Chapter 7, teachers talking and playing with mobile phones during an exam). Below is extract from my field note (23 October in Umoja School) about the rules:

I stand in the open corridor (concreted pathway outside classrooms facing a large garden area surrounded by the school building) and observe what goes on there. Some students are hanging round and others are sweeping the playground and gardens. A child assigned to beat the bell, always a boy who wears a watch, beats the bell. Children run to the assembly area in the garden in front of the staff rooms, and make a U-form with the lower grade students on the left (facing the head teacher standing at the front) ascending to the seventh grade students on the right. Teachers stand surrounding the U-form. I was urged by some teachers to join them. With the head teacher and a group of students at the front, one of the students says the military term, 'Stand at ease, relax.' Then the whole school greet each other in unison (students initiate the greeting by saying '*shikamoo*<sup>27</sup>'). The school band consisting of about six students (mainly boys, who play drums and cymbal with a conductor) also stand at the front. The prefects circulate to inspect students' uniforms and their behaviours. A couple of teachers hold sticks, while they talk to each other quietly, some of them have only just arrived...The head teacher announces a couple of things, and also talks about how to behave well. She instructs the students to 'stand up and down' for several times to 'wake up their bodies'. Students beautifully sing '*Tanzania Nakupenda Kwa Moyo Wote*' (a patriotic Swahili song sung throughout the country alongside the national anthem), while dancing as instructed...The seventh grade students start running or quickly marching in formation towards their classrooms. Other classes follow and the band follows last, while they play a marching song. Teachers disperse slowly to go to the staff room chatting amongst themselves...A student beats the bell. Then teachers enter the classrooms (see Figure 5: Morning assembly in Umoja school).

Every morning, students and teachers stood to fight against 'unruly' childhood.

During daily morning assemblies, great emphasis was also put on the cleanliness of

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<sup>27</sup> 'Shikamoo': ordinary greeting used by younger or lesser status person toward elder or higher-status person. It literally means 'I hold your feet'.

their body and uniforms. Very often in both schools, those who were not dressing appropriately were made to stand in front (in line) during morning assembly. Students who were late were also assigned a separate space as a group. In Umoja, arriving late did not result in instant beating, but they often had to kneel down during morning assembly (for 20 to 30 minutes). Teachers, who arrived late, were sometimes given verbal warning. The transgressors (students) were given lengthy warnings after the assembly. School is one site where enduring institutional structures that constrain the individual bodies can be manifest and expressed as the moral priority of collectivity. These features of morning assembly can be linked to the colonial influence.

*Figure 5: Morning assembly in Umoja school*



It was not unusual for teachers or head teachers to instruct students to repeatedly stand up and sit down on the ground until teachers observed suitable performance, not easy especially for hot, hungry, listless, and sometimes ill children. While there were clear limitations to children's bodily conducts in terms of time, space, appearance and movements, they were always required to perform in a suitable manner. To put it differently, children were responsible for (some of) their bodily movements. This in turn can be explained in relation to children as agents, for some responsibilities are causal (Bhaskar, 1998). This implies that processes of socialisation require the active engagement (of agents constituted by emergent powers and liabilities) rather than only the passive acquirement through experience. The forms of

surveillance conveyed the images of the moral status of childhood illustrated in Chapter 7 as 'unruly' and otherwise 'impossible'. As argued in Chapter 7, the beliefs about childhood allowed disciplinary methods through deterrence more often than encouragement, through constraining, deterring and impeding instead of enabling, encouraging and facilitating. As Featherstone *et al.* explain, body work is seen as a key to 'good' life:

With appearance being taken as a reflex of the self the penalties of bodily neglect are a lowering of one's acceptability as a person, as well as an indication of laziness, low self-esteem and even moral failure (1991: 186).

This was accompanied by frequent reference to body size of both children and adults alike, which reproduced social structures in generalised power<sub>2</sub> relations (Chapter 7). Normatively negative beliefs about small (childish) body size, and other rules of appearance are thus *aefficacious*, with the practices on the bodies of children manifested most explicitly and blatantly in the form of corporal punishment were deterrents at plane 3 relations.

Importantly, reflecting on the differential moral status between childhood and adulthood (Chapter 7), students and adults occupied differential moral space in school that often reflects the machinery of the wider society as a site of plane 3 relations. The above extract about activity in the school grounds shows a sharp contrast between teachers' and students' use of space, time and movements. The constant surveillance and evaluation of students seemed to display pre-existing judgement about children's (in)competence, which required constant supervision and correction or 'fight' against failure, ignorance and 'unruly' children's bodies. Some teachers and students described examples of 'good' behaviours in relation to use of time. For example, Fikiri (Age 13, Umoja) said:

Examples of good behaviours are, arriving at school at 6.30. Then sweep for 30 minutes, and water flowers and clean toilets. Bad behaviour is to be late.

All teachers I interviewed emphasised the importance of being on time (for both students and teachers). However none of the eight parent interviewees associated discipline with punctuality. Outside school, people usually (appeared to) take things in relatively relaxed and often unpunctual manner. Thus it was not unusual for my

friend to be one or two hours late for an agreed time. Some parents came quite late for interview. The parents did not seem to be bothered about the fact that they had to wait a bit longer, whenever there was a delay because the other interviewee arrived late. On one occasion, I was late for an hour or so because of traffic. A friend of mine I was meeting up with arrived slightly later than I did, but when I told her that I was also late, she laughed at me and said that I was getting used to the 'African time'. The disproportionate emphasis on punctuality for students, and unpunctuality for adults, seems to resonate with the double standard for children and adults that caused a national outcry against the exceptional incident of corporal punishment of teachers in 2009 (Chapter 1).

### **Mastering the body?**

The schooled bodies are embodiments of the expression of institutional social structures. Some students say they do feel respected and listened to by adults, but experiences for many are primarily constituted by non-recognition or coercion. They also learn to be 'well-behaved' by embodying compliance and docility (see Chapter 7). Their freedom from physical and mental pain was achieved through instrumental or what may be labelled 'rational' decisions, by their choice to be rule following agents in the presence of adult power over them, weighing up one choice over another, and this way they tended not to see their compliance as entirely meaningless. Their 'choice' to be docile or their agential activity to be silent was also echoed in the way children justified corporal punishment of children. More than half of the students interviewed rationalised the 'benefits' of corporal punishment.

Editha: Punishment with a stick is good to realise [your own] mistake.

Paul: When I am punished, I feel good, because I am educated...I learn [rules of behaviours].

Zaina: Really, I mean, I don't feel anything bad, because I just get taught.

Brandon: Yeah, it helps. Because if you misbehave you would be caned once and you would understand [to not to do it again]. If I do it again, a teacher would punish me a lot. So you start obeying the school rules.

Musa: You know students change their behaviours only if they are reminded about the whipping, because he is scared. Or any other punishment, because they are scared.

Editha accepted that she deserved punishment after she made a mistake, because it makes you 'decide that you should change yourself' although it made her 'feel very bitter (*uchungu sana*)'. Paul, who studied at Umoja said that his parents and teachers use corporal punishment for bad behaviours, but he continued that punishment helps him to learn. Nevertheless he also told me that he didn't know why he thought that it helped, and continued that he didn't want to learn [discipline] through caning. Both Zaina and Musa told me that corporal punishment could teach them to learn and that 'they [teachers and parents] use caning, because they [students] don't listen [to adults]', while saying that it didn't exist in their school (Amani) and they had never seen anyone who got caned, and that no one believed in corporal punishment. Brandon also denied the use of corporal punishment in his school (Umoja), but when I asked him:

- TY:                So why do you think that it [caning] helps? Do you believe it helps?
- Brandon:        No. Because...I mean, here in our school, teachers don't cane us more than twice...or three times. [Silence] And it happens only when a student makes a big mistake. You would then, be punished...by way of caning.
- TY:                So if you were a teacher, would you do that [caning] or would you look for alternatives?
- Brandon:        I myself wouldn't use caning, I would see if there are any other ways for him. I would sit with him, and say to him that this is bad and this is good, and I don't want you to do this. I think if I did this, he would listen to you [a teacher]. Yeah, he would follow good things.

The silence and even denial about the existence of corporal punishment in 'their' schools indicates their anxiety to talk about it with an outsider. Moreover it also seems to suggest the discrepancy between their vision of a good school, where there is no corporal punishment, and their real school experiences, through which, as Brandon suggests, students 'learn' not to make mistakes. By rationalising the benefits, being silent about punishment in 'their' own schools, and embodying compliance, the students seem to try to free themselves from the thought of pain on their bodies, although this denies them free access to themselves as four-planar social beings, for the access to their own bodies and feelings is contingent upon the relationships with adults and social rules at planes 2 and 3 that inter-relate with planes 1 and 4. Their contradictory views regarding corporal punishment reflect the authority, obedience, intergenerational relations, and reason/emotion splits,



mediated by power<sub>2</sub> relations that routinise the use of corporal punishment exclusively 'for' children as a way of mastering their 'unruly' bodies and emotions.

### **Pedagogy or crowd control?**

Students attested that only some teachers use caning, and that many teachers did not think that caning helped. Mwl. Oningo, who himself used corporal punishment more frequently compared to other teachers, said that 'it is not the solution.' Many teachers thought that 'sitting together', 'talking' and 'explaining', were more appropriate options or solutions. Why then does corporal punishment continue to be a popular and acceptable option? How does the acceptability relate to pedagogy and education policy?

For many observers (e.g. O-Saki and Agu, 2002; Barrett, 2007), pedagogy in Tanzanian schools involves recalling 'facts' during lessons and regular tests, more frequent as children prepare for national examinations at year 4 and 7. The lessons usually end with copying from textbooks or the board into their notebooks. Tanzanian education policy has very broad and ambitious aims, including the philosophies of ESR (Chapter 1). The policies emphasise creativity and active participation. However, the general aim in the two primary schools can be summarised merely as 'prepar[ing] the child for second level education' (UTR, 1995: 5) and for national examinations. A few students were kept down repeatedly for years, when they failed the standard 4 examination.

As the standard 6 students moved up to standard 7, students in both schools spent more time on daily quiz tests, weekly and monthly tests in addition to termly exams in order to prepare for the Standard 7 National Examinations (see Figure 6: about a half of Amani students took end of term exams in very uncomfortable conditions). This increased the financial strain on families, workloads on teachers, and physical and mental strain on students – with increased chance of corporal punishment either for scoring low grades or failing to pay for the test fees. Students were also encouraged to attend (paid) tuition after usual school hours (for Umoja students it was more compulsory). Here is a typical day for Tatu, aged 14.

I woke up at 6.30. I got to Umoja School at 7.00. Students of the Standard 7 were self-studying. We studied until 3.00. We went out for break (a long break) until 4.15. We then went back into the classroom, and left school at 7.30, and arrived at home at 8.15. When I reached home, I washed my school uniform. When I finished, I had some food, then I slept until 1.00 at night. I woke up and then I started studying until 3.00 at night, then I slept until 5.30 (am). I woke up and got ready to go to school.

One interviewee, a mother of four children, who positively supports corporal punishment of children, told me that she did not have as much time to be with her son (age 13, Umoja), because he spent most of his time in school. Yet, she said that the time she spent with her son was enough, because:

Ms. Sanga: ...there [in school] aren't they [students] with their *walezi* [teachers: also means guardians, governesses, childcare providers, nurses and tutors)?

Ms. Sanga implied that childhood constantly requires adult surveillance in order to learn to be like adults in the future through cramming knowledge, that can effectively be a substitute for parenting, for otherwise, children would, Ms. Sanga said 'hang out on the street restlessly'. She loves her children 'because [they] are obedient, [and] calm.' Therefore, when her children misbehave, she said:

Ms. Sanga: ...[I] feel angry. I dislike them and I punish [hit] them, why did they do this to us?

However she described that a good relationship with children is 'to love children' and to 'be the child's friend'. When I asked her if there were any things that she wanted to change about her relationships with her children, she said, 'There aren't. There aren't. I can't change,' although she thought it would be good if she could spend more time with her children. Yet the financial difficulties, the beliefs about childhood as the 'future generation', and beliefs about schooling and punishment constrained child-parent relations at all four planes. She felt that it was not easy for a working parent like herself (she sold *khanga*<sup>28</sup> in the markets) to change anything, because they had to work to survive, and to pay for their children's education so that they could have a good life later.

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<sup>28</sup> Cloth generally worn by women.



Figure 6: Amani students taking term exams outside due to classroom shortage



As Barrett (2007) observes, pressures to pass national examinations, the formal national curriculum and the context of relative poverty do not help to achieve the Government's comprehensive aims (see Appendix 20: The aims and objectives of primary education, URT, 1995). The pressures express plane 3 relations, and teachers and parents/guardians too seem to be alienated at plane 3, when they all try to have 'good relationships with children'. Teachers try to make lessons more interesting from time to time, for example, by using jokes, using small props that they bring from home and occasionally by changing seating arrangement for students to face each other in small groups instead of all facing boards in rows (this was also a practical solution to share scarce textbooks) in otherwise bare overcrowded classrooms, where there are white chalk, a big blackboard, and *dawati* (many of which needed repairing). Some, although not all, teachers attempt to make eye contact with as many children as they can, so they also become parent-like and to be close to students.

Teachers too recognise the importance of plane 2 relations like children (Chapter 7). However the attempts to have friendly relationships (plane 2) conflict with methods of control and coercion. These contradictions and the need for change are not often recognised, but merely taken for granted as facts of life, and are even called the 'African' or 'Tanzanian' way, when coercion tends to be regarded as form of good and necessary relationships *for* children. This inconsistency between their 'mind' (knowing about alternative discipline) and 'body' (adults embodying violence themselves by

using corporal punishment) seems to alienate those who punish – teachers and parents – at plane 4 (more on this in Section 8.3.4).

The Government of Tanzania (2000: para. 337) states that the country's education aims to promote, amongst other things, 'an understanding and respect for human dignity and human rights' and to encourage the principles of 'peace and justice through study and understanding'. Yet Benson (2006) reports that future entry into the wage economy, and hence present preparation for a secondary education was seen as more important than 'preparing for life' as Nyerere<sup>29</sup> envisaged. The main activities during a lesson were to take notes of what teachers say, and copy the teacher's writing on the board into notebooks.

Both Umoja and Amani schools emphasised preparation for entry into the secondary education as the major aim and measurement of successful primary schooling. For example, although Mwl. Oningo said, 'First of all, a teacher's job is to teach things that are accepted within a community' (e.g. respect and obedience to elders), he also emphasised that the having good discipline is important for students to pass the examinations to go to secondary schools.

Mwl. Oningo: ...out of 400, only two or three [used to go to secondary school]... when I came to this school...Well I told her [the head teacher of Amani then] 'This school has children over 400 in standard seven. Then you only manage to send two or three students to the secondary. What does this mean? Here there is no teacher.' [She said] 'There are.' [He replied:] 'Now how come so few students go to the secondary then?' I told her that the problem is discipline. Students don't have ...discipline. So the first thing to do was to improve discipline.

TY: How did you do that?

Mwl. Oningo: I used caning first. It was impossible [to keep order without using caning]!

TY: What did you do next?

Mwl. Oningo: I then spoke to parents...I told them that it was shameful because schools of our friends [other state schools] were successful, but this school...It's not like children are not intelligent. But...it is about those habits. What kind of job had the school been doing?...I want children to, whether they like it or not, they need to study. And the benefits of studying are not for me. You [parents] *will* see them [the benefits] yourselves or children themselves...The teacher's job is to provide children with education so they can pass the exams to continue studying in secondary schools...So if you

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<sup>29</sup> Nyerere had opposed the emphasis on test and entry into secondary school in primary education, like most people during the 1960s, but since then testing has increased around the world.

engage with them (students], and become a bit strict with them, the 'graph' of success goes up, but if you just sit and do nothing about it, the 'graph' goes down. So being strict is, sometimes, with children, especially of Africa, those of Africa, it helps them.

Speaking about the 'graph' and discipline, Mwl. Oningo justified the use of corporal punishment without a moment of hesitation. Supported by the Tanzanian educational policy that promotes secondary education, the traditional view of education as the means to self-reliance and as the necessary condition for development, Mwl. Oningo links the better academic performance with 'a bit strict' disciplinary practices. However the upward 'graph' also depends on the number of secondary schools opened in the area since. In Buguruni there was no secondary school as of 2008 according to the head teacher of Amani. The example shows how he unconsciously marginalises the problems of insufficient school places in Tanzania, and justifies more strict rules on children by blaming them for policies they cannot influence (a distributing of responsibilities/duties without recognition or respect) and this echoes the problem of individual responsibility (Section 8.2.4). However, Mwl. Oningo does not support the use of corporal punishment wholeheartedly as mentioned at the beginning of the section.

### **8.2.3 Context of violence**

More recently, provision of educational services has been decentralised under PEDP (Chapter 1) as supported by the World Bank and its donor member countries, thereby shifting more responsibilities to local communities (URT, 2001). Both schools had committees, which in principle consisted of teachers, parents, students and representatives of the community, to manage school funds and budgets allocated by the Government (Mmari, 2005). In Mwl. Oningo's words, school is 'property of the community'. Echoing the examinations of alienation at plane 3 mostly on part of adults, the next section examines how this discourse of responsibility can be seen in the elusive concept of corporal punishment that allows the government to skilfully avoid the legal ban. It then views how responsibility as absence of dependence on higher authorities is embodied in children's experiences of punishment.

### **Tanzanian legislation and responsibilities at plane 3 relations**

Tanzanian legislation that allows (limited) use of corporal punishment of children (Chapter 1) is further endorsed by individual actions in the two schools at all four planes. Moreover, as Chapter 7 argued, the agential actions of individual children are ignored, denied or unrecognised as a consequence, which further constitutes and justifies the child-adult power<sub>2</sub> relations. Processes of agency-structure and the gap between rhetoric and practice are reflected in the Tanzanian state party's report to the UN Committee.

The initial report of Tanzania to the UN Committee states that consideration of the views of the child in schools is also ensured, for:

[s]chool Baraza (councils) elected by the children through a democratic process are a mechanism to ensure the participation of children in making decisions concerning school activities and school life (UTR, 2000: para. 150).

However, the above examples of silence of children (Chapter 7) confirm the gap between law, claimed policies and practice.

Moreover, the Tanzanian report calls for patience with the gaps and contradictions between rhetoric and practice and with delays over ending corporal punishment of children that result from problems of customs, culture and tradition, and states:

Every citizen is *supposed to be* [italics added] protected against torture and cruel, inhuman or degrading treatment as stipulated in the Bill of Rights in Tanzania...However, *due to ignorance* [italics added], parents and/or guardians sometimes have been involved in torturing or ill-treating children in *their* care, believing that *they* have *a right to do so* [italics added] (UTR, 2000: para. 185).

The state report acknowledges the widespread use of corporal punishment in schools and other institutions, and again blames existing social attitudes and adults' ignorance that hamper the government's intentions. The report indicates that there is no such thing as the 'right to punish'. However, it states that corporal punishment continues because:

...some parents believe that without corporal punishment, children will be 'spoiled'. *They* [italics added] argue that corporal punishment is part of the African way of rearing children (UTR, 2000: para. 188; also see UN, 2006a).

It is 'they', the ignorant adults, who believe that corporal punishment is necessary and is adults' 'right', because it is the 'African' way of socialisation. This resonates with the aforementioned problems of responsibilities between those who punish and the punished – blaming individuals for non-compliance instead of blaming failing absent structures 'fights against ignorance', and firm abolition of 'rights' to punish bodies.

The long awaited Law of the Child Act 2009 was an effort to domesticate the UNCRC in Tanzanian law, and to put together many laws, most from the colonial era, concerning the status and welfare of children (UN, 2006a; URT, 2009). While this effort is big step forward, for only very few countries enacted the UNCRC in domestic law so far, it failed to abolish corporal punishment of children. In its 2000 report to the UN Committee, the Tanzanian government stated that 'consensus has not been reached as to the type of punishment that can appropriately replace corporal punishment' (UTR, 2000: para. 194). The government delegation to the Committee restated this, because it was important to respect public opinions including NGOs, children and communities (UN, 2006e). It appears that this government, like many others, is still waiting for the discovery of an 'appropriate' punishment.

Amongst other rights, the Child Act (2009: Articles 11 and 13) addresses the child's right to express views and to protection from torture and degrading treatment. However, despite strong lobbying by national and international NGOs, including UNICEF, by academics and children, to amend the Bill (Cameron, 2009; CCR, 2009; GNRC, 2009) the absence of peaceful treatment of children in the Act still remains as a result of multiple absences.

According to earlier Child Development Policy (UTR, 1996: para. 11, 21, 22) difficulties arise partly because:

Provision of child rights in Tanzania has been affected by various factors including child care such as the provision of basic needs which include clothing, shelter, good nutrition, education, medical treatment etc. In addition, parents and guardians have been largely left to cope with the upbringing and interests of children without considering their economic position, education, traditions and customs and the

environment in which they live. This has led to numerous acts which violate the basic rights of children.

Despite the measures taken to ensure that children are protected, many children are still not accorded proper protection. Acts of oppression, exploitation and brutality against children are on the increase as a result of shortcomings in the administration and enforcement of laws which protect children's rights as well as a decline in morality.

These statements are not clear about which laws are referred to, or whether or how morality has really declined (and of whom if any specific group). The statement fails to account for the necessities and absences of increased commitment of the government, by non-recognition of multiple negativities. Instead it merely affirms that the commitment already exists, and positions itself as a critical authority that denounces parents and teachers. This resonates with Mwl. Mlinga's reference to 'them' being a bit too Swahili (Section 7.2.1). The government acknowledges that there is a need to review existing laws (UTR, 2000), but as aforementioned, seems still to be waiting for 'them' to discover alternative methods of discipline.

The statement and relating policies embody predominant beliefs 'proper' or 'just' attribution of moral status to children and adults. Although these norms are not homogenous and unchangeable, they permeate social relations in different periods and locations. They are institutionalised through politics, and the state leaders' attitudes. The following two sections analyse the conceptions of rights bearers and the problem at the state level – corruption, which prevents implementation of the UNCRC.

### **The government and the NGOs**

The government's efforts at reform are gestures that lack real commitment, and seem merely to 'ask' or 'request', through numerous guidelines, head teachers and others to lead change. They blame the 'African' way (that actually applies to all continents) partly to fend off NGOs' campaigning for respect for children's rights and human agency and effectively to silence calls to ban corporal punishment.

For example, a leading Tanzanian organisation HakiElimu (meaning 'right to education' in Swahili) was banned in all its activities (research, publishing,

campaigning through the media) from September 2005 to August 2007 (MoEC, 2005; LHRC *et al*, 2009), for allegedly spreading misleading information on education in Tanzania, following publication of a report in July 2005 by HakiElimu (*ibid.*). The then President of Tanzania (1995-2005), Benjamin Mkapa, argued that the report was too negative. Criticism is discouraged on national and on everyday school levels.

Forms of silencing, non-recognition and denial of the negative, especially of those deemed as subordinate (thus embodied negativity), are also embodied in the degree of difference in understanding (or conscious representation) of the law that permits limited use of corporal punishment. While the head teacher of Umoja repeatedly said that corporal punishment in schools is completely banned by law, students from both schools said all teachers can use it, for example up to three hits. Students were not only misinformed about their legal rights, but they were also discouraged to find out about it. One of the student interviewees informed me, immediately after the recorded interview at the beginning of my fieldwork that no student would talk about corporal punishment, because they did not want to be punished like they were, when an international NGO came to their school to do a study on corporal punishment. The secrecy about corporal punishment showed their anxiety about discipline.

### **Corruption, responsibilities and reductionism**

Power relations too often allow adults and the state to deny children's rights by citing political, economic, social-cultural, and historical arguments, and failing to recognise absences that need to be absented. Problems of corruption relate to the structure-agency relations and responsibilities at national and local levels.

Heilman and Ndumbaro argued that Mkapa, who promised to wage a 'war on corruption' during his election campaign, made little progress, because there was no real change in 'the attitudes, social structures and power relations that contribute to the widespread corruption in Tanzanian society' and he mistakenly reduced the source of problem to individuals (2002: 1-2; also see Tangri, 1999; Fjeldstad, 2003). Mkapa spent \$40 million (£14 million) on a private jet after spending £28 million on a much-criticised deal with the UK for a military-compatible air-traffic control system in 2001 (Burrows, 2003; Cooksey, 2004; Peter and Masabo, 2009). More recently,

Tanzania's Institute of Education has allegedly misused the funds intended for a new entrepreneurship curriculum for secondary schools from the UN Industrial Development Organisation (UNIDO) (Tanzania Corruption Tracker, 2010).

Heilman and Ndumbaro (2002: 2) describe corruption as 'embodied in existing power relations...[that affect] the lives of people engaged in their daily struggle for social, economic and political existence'. They imply that attributing problems either to individuals or else to social structures is insufficient to 'redress' injustices, for it ultimately passes on responsibilities to others in the absence of ontology of relationalities.

However, the current President, Jakaya Kikwete, also 'fighting' the war against corruption, continues to problematise poverty and corruption with no attention to the network of relations. When addressing the National Assembly in Dodoma, he 'urged Tanzanians to double their efforts in all sectors of the economy to attain a better life for all, emphasising that hard work was the only sure way of lifting the people out of poverty', saying, 'it is imperative for us to sustain the existing peace and tranquillity. We need to keep loving one another. We need to love our nation and national accord. Let's work hard because a better life will not fall down as did manna in the Sinai Desert' (Kamndaya and Mugarula, 2010).

The statement is inconsistent. Improving the lives of people requires hard work particularly by the government and society as a whole, which is more than just 'an aggregate of individuals' with their individual responsibilities and hard work. It seems to indicate that 'a better life for all', 'peace', 'love' and 'tranquillity' are only rhetorical terms, to encourage an individualism that 'African' customs do not agree with (Chapter 2). While I respect and admire the people's politeness, respect and friendliness to guests in general, and the level of support they have for their family and community (which I have always experienced in Tanzania over the past eight years), the President's references to 'existing peace and tranquillity' is yet to be experienced by children despite their hard work and efforts.



Tanzania is relatively peaceful, compared to many neighbouring states (Chapter 1), but 'peace and tranquillity' are more than just absence of civil wars. Problems in Africa, of climate change, diminishing resources and rising prices of necessary goods, such as food and fuel, are routinely experienced and embodied through socio-economic inequality, so that the President's speech and policies thus seem to be not only insufficient but often contributing to the problems of inequality and the absence of equal rights to justice, peace and respect.

Over half the people of Tanzania are aged under 18 (UNICEF, 2010), but it is doubtful whether the President was addressing them, or felt accountable to them. The students in the two schools already worked hard in difficult conditions, constantly negotiating their experienced absences in all planes. While we wait for 'them' – the ignorant others – to find alternatives to corporal punishment, 'unruly' – even less knowledgeable beings – children have to try to behave in 'adult-like' ways to avoid corporal punishment until the government legally abolishes it.

The state urges self-help, echoing the ESR principles of empowerment of individuals, families and communities to find opportunities to lift themselves out of poverty and to fight ignorance while, through non-recognition of absences, children and adults alike learn to tolerate violence and pain (in their bodies and feelings) as social norms. There is absence of transforming structures, informed desire and knowledge, of trust at all levels and freedom. This perpetuates inequalities between adults and children, and at all ages, through the silencing or non-recognition of all forms of injustice relating to age, gender, ethnicity and class. How the absences of recognition can be absented is the subject of Section 8.3.

### **'Contributions', punishment and plane 3 relations**

The Umoja school committee decided to start providing *Uji* (porridge) for students at a very low price (so that they are not too hungry to study), and teachers and some parents had to pay for this (I also contributed a small amount). Teachers and parents had to make many other contributions, and although small amounts, they added up. One parent at Amani school said:

Ms. Khanga: Everyday, *michango* (contribution; donation or collection of money). There is nothing else [but *michango*]. Now you find a person like me, my [financial] *uwezo* (capacity; possibility; power) is very little. Now they [school] tell me to pay for *mlinzi* (watchman or guard). This guard, what would he protect Zakia [her daughter] from? Even if my child gets malaria and needs to leave [school] for home, they'll tell me [to come and take her with me]. Tamaki knows where Zakia lives. [Tamaki would say] 'Shall I *sindikiza* (accompany a parting guest; see off by walking a short distance together) her home?' This guard, what does he do for Zakia so I need to pay him? ...If I had *uwezo* to pay guards, why shouldn't I be paying for my child's education outside [private schooling] so that she can study? I send her to this school, because I need help. Now even this help itself is asking me to help it...A child should sit with [a teacher] so she can study. But...We don't obtain our goal [to let the child study] here [in schools]. You fail to read [for example] page five [of a book], you (a teacher) hit me [a child]. I [the child] still have punishment at home waiting for me. Also I haven't fetched water, I haven't washed my clothes, I still haven't cooked. There [in school] you [a teacher] tell me to run errands. Should she [the child] go sell ice cream? It's not that bad to not do housework. Because I haven't done the housework so that I can study. Now the school gives the child these works. Ok, she can't study in a dirty environment. She should clean. They [children] should welcome teachers. They should respect teachers, and they should respect their siblings, and their friends. Ok, but there is something left that you should pursue [studies]. You [a parent] could be arguing with teachers everyday [about problems, but] then you could be endangering your child in the classroom.

TY: Endangering your child?

Ms. Khanga: Yeah, so she would get even more problems, if you wanted to follow things in school...Teachers would hate her.

This view of favouritism linked to student's socio-economic status may not be shared by all parents, but is one important component of student-teacher relations at plane 3. Students attested that favouritism does exist and can influence students' motivations, feelings and activities negatively, or positively. The few material resources at plane 3, further reduced by the state policies to devolve power, supposedly to improve efficiency and 'empower' people, are mediated by power<sub>2</sub> relations in the two schools at all four planes. At plane 3 relations, for example, students are routinely punished for failing to pay 'contributions', test fees, and so forth, for they were identified as students with 'problems' to be addressed. After the free sessions, students who could not pay for the extra tuition (which is taken as one criteria of 'good' childhood) suffered by being punished, by missing the extra teaching and then by being more likely to fail exams, leading to further punishment.

### 8.2.4 Responsibility and blame

The above three sections suggest how punishment is an expression of enduring power<sub>2</sub> relations at all four planes that separate rationality and emotion in agency. The existing questionable view of social justice justifies corporal punishment of children through double standards for children and adults. This section will consider the epistemology and ontology of responsibility within corporal punishment to discipline children.

#### Deserved and 'just' punishment? – planes 2, 3 and 4 relations

Punishment as retribution (Chapter 4) is justified in Kantian deontology, after free, rational and autonomous individuals have violated the rights of others. Usually in schools and homes, children are punished for threatening teachers' or parents' rights and (moral) authority (see Section 4.2). Many children believed corporal punishment was deserved, to preserve adults' rights to control and to maintain order in classrooms. However, they expressed ambiguous views, as Group C showed when discussing morality and justice in individuals and in social structures:

They said that it would be right for a teacher to cane once (but not too many times) for a student's wrongdoing. Thus I asked about an imaginary situation of one teacher hitting another, Mwl. Karen, who lives far away from school, being hit by Mwl. Lewis for coming in late.

Mohamed: Here...it is *sahihi* (right; correct).

TY: What do others say? Would it be wrong or right [to hit Mwl. Karen]?

Mohamed: Because... because...well, she is here to work. Why should she be late? When she knows that she has to go to work. Because they [teachers] respect each other.

Khadija: Because she is an adult.

TY: Why do you think that it is ok for children to be hit?

Ibrahim: Children are hit because, well...so that they don't do...like this teacher, who has been taught through. I mean...they [adults] have been built up [taught] since they were small. When they reach [adulthood] they come to understand. Because you work, it is important that you get to work on time so she does know [that]. Her wrongdoing would not happen again.  
(...)

Khadija: Adults...I mean children are hit and for adults it [be disciplined without being hit] is easy...because that child...n nh, the adult is older than the child. Because hitting [the child] is the *adult's right*. But...for a child or an adult to hit a fellow adult is...is to embarrass the punished in front of other people.

Ibrahim: For a child...being hit becomes so easy and for an adult to hit a child. And for an adult to hit a fellow adult is an embarrassment. It is not very good.

TY: Why do you think that it is not embarrassing for children to be hit?  
 Ibrahim: *Even* children do get embarrassed but not too much. But it becomes too much for adults...it becomes too much for adults.  
 (...)
   
 Talib: It is not equal.  
 Khadija: Because...let us say, I mean...an adult...to be hit in front of others.  
 Maria: Not good.  
 Ibrahim: That is it.

Mohamed firstly responded that it is *sahihi*, correct to hit the teacher, but later he agreed with the others that it is not good to embarrass the teacher. On differences between adults and children, Furaha continued that:

Because *mtu mzima* [adult –literally a fine, whole person] is *mtu mkubwa* [adult-big person]. She is respectable...I mean, being hit...I mean...is such a humiliation.

As Chapter 7 argued, the embodied nature of childhood behaviour was judged for its competence as either childish or adult-like, influencing children's sense of self, and as outside 'naturally' respectable adulthood. 'Naturalness' or the irreducible ontology of the adult human body does however not apply to children, although they are also materially real and emergent natural necessities. This explains Ibrahim's remark 'even children do', a frequent reference to children's abilities or liabilities in comparison to adults'. When children displayed 'adult' behaviours, children and adults alike described them as '*mkubwa*' and/or '*mzima*'. To identify good behaviours with adulthood could be a kind of double alienation from childhood: good children are not really like adults or like children, and unruly children are too different from adults, leaving both in a kind of limbo outside orderly society where corporal punishment is acceptable.

### 8.2.5 Intergenerationality of corporal punishment

Examples of experiences in the above four sections showed how the splits that alienate children at all four planes are justified until children themselves start to identify themselves with the norms of 'social' justice in school at the cost of individual justice. This poses question on the nature of schooling and education that heavily emphasises children's future responsibilities. In her diary, Esther (13, Umoja) wrote on *elimu* (education):

Today I am pleased to study all the subjects and it is a responsibility of teachers to teach us the students. Students are to be taught all the subjects, because it is

important for students to [have] very good knowledge so that we can prepare ourselves for later life so we can have our own family. And it is necessary that we can educate our own children so that they too can have knowledge and skills for later life...[She continued this for another 6 times]...studying is important. So every person has to be educated if the person's parent does not have enough money, then you should speak to the government.

Esther shows how participants equated schooling with education, and knowledge and skills attained through education with preparation for the future, moving from children's present dependency towards future responsibilities (see Section 7.2.2), within intergenerational relations that silenced children, as part of the epistemology of corporal punishment *for* children.

#### **Internalising pain and rules at plane 4**

Upendo continued these themes.

- Upendo: If you don't do cleaning, or things like that, a teacher...a teacher should punish you.
- TY: Have you been punished?
- Upendo: Yeah.
- TY: How?
- Upendo: Caning.
- TY: How did you feel about it?
- Upendo: Really, I felt very bad.
- TY: Does punishment help you?
- Upendo: Yes, it does. Because after you are punished, you know your responsibilities.

Like other students, Upendo told me how caning made her feel bad, but she nevertheless accepted it as educational (Section 8.2.4). However, when I asked what actually encouraged her, she did not include caning. Instead she listed receiving gifts, being praised and being taken to museums.

- Upendo: When I am rewarded, I feel really happy. And it even enables me to do many other good things. And I thank teachers for rewarding me.

Like many other students, she said some students and teachers believed in the usefulness of caning, and others did not.

- TY: And yourself?
- Upendo: Ah, Me...Individually, corporal punishment...to be honest, I don't like it. [But] that corporal punishment...I believe it helps.
- (...)
- TY: But why do you think that corporal punishment helps to learn good manners?

Upendo: Even if she [a child] wants to do the same thing again, she will just remember that...that caning.

That internalising of controls and beliefs through disciplining the self at plane 4 relations, believes that oppression can be a good way towards the right future becoming echoes Foucault's aforementioned analysis of discipline, punishment and power (Section 4.7), and how the self can internalise and embody social norms through covert surveillance and gentle correction (Rose, 1989; 1999). Here, corporal punishment is a relative failure of what Foucault calls the technology of power. However, under the power<sub>2</sub> relations that permeate children as four-planar social beings, overt discipline such as corporal punishment is nevertheless effective and oppressive in causing the alienation from the self at plane 4. Children's bodies appear to function as a means to maintain and reconstruct these existing relations (more on this in Section 8.3.4).

Moreover, Upendo's adolescent moral status marginalises her and others in her generation further.

TY: Has the relationship between adults and people of your age changed compared to when you were younger?  
Upendo: Yes, it has changed.  
TY: How has it changed?  
Upendo: It has become bad, because when you were little, you are loved, and been respected. But when you become *a bit older*, some people hate you. Even...I mean...he [an adult] could hit you even if you haven't done anything wrong.  
TY: Why do you think that they do that?  
Upendo: I mean, they do that, because they know that they are older. They know that you can't...you can't punish them. Or you can't do anything at all.

The very little children were allowed to sit on strangers' laps, while school children were pushed to the uncomfortable corners of *daladala* by both *konda* and other passengers. By being *a bit older*, but not being old enough, school children tend to be marginalised more than any other generations in many respects (if not all). Other students told me how they felt *a bit more* respected by having (or being given) a bit more, but not enough, opportunities to speak. They also told me how they were not provided or protected enough by being given less or receiving heavier punishments compared to when they were younger or compared to adults. This intergenerational

aspect of punishment is ingrained in the above-discussed status of childhood at all four planes.

The views expressed by both adults and children suggested, however, that they all ought to be concerned about the effects their agential actions have to others for ethical reasons, and not just for practical reasons such as lack of time, or instrumental reasons such as aiming for academic success or for future long or short term financial gains. Thus many adults conceived of themselves as role model, suggesting the importance of planes 2 and 4 relations (more on this later). Yet at plane 3 level, their (mostly adult) views claimed the priority of the survival of current 'moral' society, which could actually contradict their own moral concerns at inter- and intra-personal levels, and set individual against social justice. There are paradoxes when punitive adults claim to be role models for the future adult generation but behave in violent ways that they would punish children for; when they claim to uphold a 'good' moral respectful society but by hurting and humiliating individual children; when they maintain order in classrooms for the good of the school and education and society generally, but through actions against individual children that would be intolerable if practised on other adults. These paradoxes are discussed further in Section 8.3.

### **8.3 MELD and corporal punishment of children**

The above analysis of punishment and four-planar social being is continued in this section in relation to MELD. What do the apparent contradictions between the societal and individual 'feelings' or 'benefits' of punishment of children imply? Where can the possibilities of resistance, negotiation, and care for others lead the children, adults and society in general to? This section focuses on the processes of punishment that lead to deagentification of both those who administer and those who receive punishment.

#### **8.3.1 First moment as product: destratification of punishment as absence of respect**

Scarry (1985) argues that pain resists and destroys language, for it has no reference point for the one who hears about pain. She argues that this unsharability of pain through language is however real to the one who has the pain, and that it is universal

for its pre-linguistic aspect. This is certainly one aspect of pain, although the properties of the body in pain are not exhausted by this. As reviewed in Section 8.2, punished bodies in pain constantly inter-relate to all four planes: the intra- and inter-personal, social, cultural, political-economic, environmental as well as biological levels. The relations constitute non-being as part of natural necessity when punishment and pain are so often ignored or denied and when they contradict dominant social norms. This section begins with considering routine corporal punishment of children in the general context of politeness in the two schools and Tanzania in general, and argues that punishment is characterised by destratification, in the absence of politeness and peaceful relationships. They are essential to the respect, which is so valued in Tanzania.

### **Punishment and politeness**

One example of politeness amongst Tanzanians can be seen in their greetings. People normally exchange an infinite (for me) array of: '*habari*' (news - about family, the particular person, studies, work, any events, in the morning, afternoon, weekend, yesterday, or from the last time they saw each other); '*nzuri*' (good – people usually say *nzuri* unless they are burgled or have malaria or some people say *nzuri* even when they are unwell); and '*vipi*' (how), which make up their greetings for about a minute or longer, even when you are in a hurry. This can also involve handshake or rather holding each other's hand, while the conversation evolves either standing still or walking.

Any self-respecting Tanzanians would be worried for being rude if they forget to greet a vendor. Whenever I forgot '*habari*', people either pointed it out or started an array of '*habari*' themselves. Another example is the practice of '*sindikiza*' (escort, seeing off). People usually walk part of the way together to see off their guest. When I asked for directions (be it from strangers or acquaintance), many people accompanied me all the way to my destination. This culture (or I may even call it the art) of greeting, intimacy of handholding, and accompanying always amused and impressed me throughout my stay in Tanzania, and made me question even more strongly the contrast between this politeness and the acceptance of corporal punishment of children.



As reported elsewhere, (e.g. Dorning *et al*, 2005), discipline can be violent to varying degrees, however it might be justified or excused, discussed or denied in the negative ways reviewed earlier. Nevertheless, the practices of corporal punishment of children contradict Tanzanian law and official guidance, and its ratification of UNCRC, and what people aspire to, considering their frequent remarks about peace, respect, and love. The fallacy of justification can be seen in the false beliefs that corporal punishment brings about 'positive' changes to children, who 'will' become capable of controlling the body and emotions through reason as adults in the future, and often view adverse effects rather as exceptions that are 'unfortunately' necessitated by the absence of resources that causes absence of caring relationships that 'ideally' accompany punishment. The de-stratification or obsession with what corporal punishment should effectively be leaves its use 'for' children unquestioned, leaving no room for change.

### **8.3.2 Second edge as process: denegation of punishment as qualified respect**

Section 8.3.1 examined how the de-stratification of corporal punishment can leave the problem unquestioned and unsolved. This section analyses punishment as process mediated by power<sub>2</sub> relations.

#### **Fear, respect and care – a teacher's view**

Mwl. Kasese (a mother of three children), who taught at Amani said:

Mwl. Kasese: I am expected to teach well so those children understand well. And also it is necessary that I regard them like my own children...I should be close to them, and listen to them if they have any problems, and also if they are mistreated by their friends, I should help them and settle the situation. This way you can build good relationship with children. And also it is very important that you don't just punish them when they misbehave. You need to talk with them, and show them the ways in which they are expected to behave and praise them for their good aspects.

However, she also expressed her view that restrictions on the use of corporal punishment (although she said that she hardly uses caning, and I did not see her using it during my fieldwork) do not help the 'unruly' children.

TY: You mentioned that if children misbehave, some teachers may use even canes. How will the banning of corporal punishment affect teachers' behaviours and rights?

Mwl. Kasese: First of all, I think children would suffer a loss, because they could stop coming to school [if caning is banned]. Some children are frightened that they would be caned for truancy [so they come to school]...So some children might withdraw from schools [in the absence of caning].

The edge of change – desire – experienced by her as a teacher, a mother, and a Tanzanian, is absented, when she talks about her experiences of ‘respect’ mediated by power<sub>2</sub> relations.

Some children don’t respect teachers, because...since the government announced that caning should not be used in schools...several years ago, they announced that the only person, who is allowed to do so, is a head teacher. Since then more children started to disregard teachers. They are scared of the head teacher only, because she is the only one, who is allowed to hit. [However] well, caning on its own is no good. You have to show that you care for the child and talk with the child. But the child would just build up hatred, if you [a teacher] do it [caning] out of anger.

She emphasised the importance of both ‘fear’ and ‘closeness’ for a good teacher-child relationship echoing most respondents (children and adults), who associated ‘fear’ with ‘respect’. One parent even said that ‘fear and respect are one thing.’ Respect was also equated with obedience by both adults and children (Section 7.2.4). For example, Rukia came in last to a lesson and couldn’t find herself a space on *dawati*. When Mwl. Makole came in, another student voluntarily brought the teacher a chair on which she put her purse, while Rukia was sitting on the floor. This example of a purse taking priority over a child seems to be part of a whole system in which the de-stratified and unequal nature of punishment blocks the possibilities and processes of change and is justified as the necessary control of unruly children. Yet, Rukia was not unruly respectful toward me as a guest sitting on a chair she might otherwise have used, and to her teacher. She would have remained on the bare concrete floor by the chair with a purse on it, had I not insisted that she took my chair.

Here I would like to return to deontological approach to punishment (Chapter 4), in order to clarify the distinctions and relations between fear, obedience and respect, and emotion and reason. Deontological approach fails to provide a case for the worth of embodied being, because it is based on purely positive reason, which is seen as disengaged inner consideration. However, the critical realist approach does not distinguish between emotion and reason (Hartwig, 2007). I suggest that the two

emotions: fear and respect - feelings about the worth of being - need to be distinguished in terms of desire. On the one hand, emotion such as 'care for the other (the child)' or 'closeness' is reason as informed desire, which can cause actions to change. Misinformed desire or reason, mediated by power<sub>2</sub>, on the other hand, necessitates fear and corresponding practices of obedience to maintain what already exists. Fear does not lead individuals to exercise emancipatory rationality towards freedom, instead it disconnects and alienates individuals (children and adults). Thus confusing fear and obedience with respect is a form of absencing caused by power<sub>2</sub> relations.

From the critical realist perspective, the splits cause alienation (Bhaskar, 2008b; Norrie, 2010). In deontological approaches, the necessity of emotion, which causes actions to change, in agency and in its concept of punishment is absented, in the view that once purely positive reason is achieved in one's rationally contained totality. Children as alienated agents are not objects of emotional bonds, and this allows children to be subjected to corporal punishment. The idea of purely positive reason dictates (and disengages) emotion, while critical realists assume that (informed or misinformed) reason, as the cause of intentional (whether conscious or unconscious) action, is real (see Hartwig, 2007: 402-404).

Critical realists hold that mind is detached from neither the material body and sensations nor from emotions, and only on this ground, reasons can be and are causal, as emergent properties of things (see Archer, 2000). Hence reasons are not forged out of control over the body associated with the emotion/reason split. This view of mind as a real entity provides the basis for our critical agential actions at 4D in the spatio-temporal world of emergence and difference (1M-4D). If reason is a rationally contained concept, human beings never need to contradict themselves. If things are epistemologically (or abstractly) determined before any events occur, children would not be scared of caning at all and thus corporal punishment could not be a reason for fear and could not be described as a means to control (children's bodies and minds), because (the closed) totally rational world does not contain fear. There would be no grounds for preferring smacking to hugging for example, because

the actions would not express any emotions or meaningful sensations. There would be no need to worry about unintended consequences or about applicability of a law amongst different societies and/or cultures. The qualified respect for children described above demonstrates a failure to recognise informed respect for children's bodies, which is essential to the four-planar social being as both means and ends. Being/becoming is a means, as it is constitutive of desire, and it is an end, as being's desire calls for the practice of absencing in concrete situation (see Bhaskar, 2008b). The qualified respect instead warrants practices of coercion of the body through the abstract and disconnected mind.

### **8.3.3 Third level as process-in-product: detotalised punishment as absence of real individuality**

I have focused on punishment mediated by power<sub>2</sub> relations that denegate the feelings, which emanate from people's social bond and informed desire. This section turns to the disconnection of individuality and solidarity that stems from mind/body and reason/emotion splits at 3L.

#### **Individual responsibility as absence of individual-society connection**

Section 5.6 explained that 3L under power<sub>2</sub> is a moment that justifies 'free' 'rational' and 'autonomous' individuals as capable of 'transcending' the geo-historical nature of human beings. However, the examples from the two schools above, indicate the inter-/intra-connected nature of physical and emotional well-being, and the sociability of both children and adults. Yet for many adults, respect for children's bodies is qualified by the epistemology of incompetent incomplete childhood, and non-recognition of the very necessity of emotion-reason. This non-recognition then constitutes disconnection(s) at 3L.

As noted in Chapters 4 and 7, children are often seen as bearers of individual responsibilities. While children are given less respect and recognition than adults, they are often seen as responsible for mistakes they make. Children are future-tense agents, because as Elena (age 13) in Focus Group A described 'no one says "children are today's nation"'. Children remain as objects of socialisation (as raw material) stripped of their present-tense agency. Chapter 7 critically analysed epistemologies of childhood and illustrated how children continuously exercise their agency. Moreover,

DCR of agency-structure would argue for their irreducibility, and question the existing emphasis of responsibility wholly on individuals. Bhaskar argues that relational aspects of our existence point out that social action should not 'be conceived as the immaculate product of unconditioned ("responsible") human decisions, free from the constraints (but presumably not the opportunities) inherited from its past and imposed by its environment' (1998: 37). This perspective further illuminates the problem of utilitarian, deontological, paternalist and educational approaches to punishment that transfer any committed crime onto the responsibility of the punished children, who are seen as individuals who either are means to maximise future benefits, or free autonomous beings, who 'brought the punishment on themselves' (Sections 4.4-4.6). These approaches, which are often supported by biological and behavioural explanations, cannot reconcile the tension between the individual and social justice.

For example, children's strong feelings about better individual educational attainment stem from the abovementioned discourse of education directly linked to the whole society's development and financial stability attained through the intergenerational work to reduce poverty in aspirations for the future. Education supported by local communities pass on the knowledge and skills to 'solve the society's problems, in order to meet the challenges of development and attain competitiveness at regional and global levels' through producing 'the quality and quantity of educated people' (URT, 1995). The flip side of this emphasis is that the continued poverty can be seen as the failure of individuals, communities and society to enhance their own social cohesion or the 'African' way of things. Coercion and compliance in the name of responsibility then can be justified. Moreover, this neglects the very materiality in which society is embedded. Lack of consideration of plane 1 relations problematises communities and individuals, instead of the very conditions in which they reside. It blames individuals for the 'breakdown of the system of communal responsibility for child care' with regard to the moral development of 'their' children. Children themselves are blindly adopting corrupt foreign behaviours, because of the lack of any system to control these behaviours' (URT, 1996: para. 64, 65). This blames both children and the community for their

assumed ignorance and lack of commitment to proper control of children's bodies and values.

Concern about children's emotions that influence their commitment to educational achievement emphasise their competence. However, 'competence' includes sitting in a classroom for many hours to study no matter how uncomfortable *dawati* may be, or how boring and pointless it seems to be continuously copying texts into notebooks. For instance, in one afternoon in Amani class C, when Maryam saw me yawning she said, 'You shouldn't feel sleepy because you've had a bhaji (which I had been given from a teacher). I haven't eaten. I'm sleepy.' Yet, she continued to pay full attention to the lesson.

Archer (2000: 209) argues that the commitment to achievement entails variability according to material cultures, and that it may also depend on persons' preparedness to suffer physically in order to achieve certain goals. For example, I would not have been able to perform as well as those students in both Amani and Umoja schools, had I been thrown into the environment, whether it was when I was 12 years old or now (at least it would take me a very long time to accept/adjust to their conditions). Archer also argues that emotions that relate to achievement extend to the spectator (Archer, 2000: 213-214). For example, my observant (or spectator) status in the schools, where routines were carried out by students and teachers under very basic conditions (Chapter 6), involved my bodily tensions and emotions such as guilt, helplessness, and admiration or appreciation of their capacities to carry out what it takes. Yet, if there were a person from, for example, a Tanzanian education council to assess their performance, it would have caused a different set of emotions, which might have involved dissatisfaction. This appreciation/depreciation may lead to positive/negative performance by the students and teachers (see Archer, 2000).

The material conditions, social and inter-personal relations, are thus in constellational unity, which enables individuals to achieve rational agency or the self-in-solidarity (see Hartwig, 2007: 433). Omission of such connections thus leads to further alienation of children (as individuals) by isolating children from the very conditions

into which they are thrown. The tendency to regard childhood as an asocial status, divorced from all social contexts, further contributes to this process-in-product and aggravates the absencing of peaceful relations characterised by respect without fear.

#### **8.3.4 Fourth dimension as product-in-process: punishing and punished bodies and deagentification**

Destratification, denegation and detotalisation of punishment (of children) illustrated above is now followed by the 4D moment of deagentification.

##### **Mastering the body as *mtu mzima*?**

The African Child Policy Forum (ACPF), an independent NPO that carries out pan-African policy research, advocacy and debates about children states that:

Much as children are valued as precious beings both in their own right and as sources of social and economic security, they are not always treated with sensitivity, consideration or respect in their everyday life. This happens either in the name of what tradition dictates or because they are not viewed as whole human beings with all the rights that adults have (ACPF, 2010).

The Call for Accelerated Action on the Implementation of the Plan of Action towards Africa Fit for Children, 2008-2012, also covered this concern about violence against children (AU, 2007). During my fieldwork, I saw students routinely exposed to violence from both adults and students. This was not always considered as violence at all, and '[c]hildren too often feel ashamed or guilty believing that the violence [punishment] was deserved' (ACPF, 2010; Section 8.2.4).

Although students and teachers share (and recognise the sharing of) the lack caused mainly by the scarce resource already described, teachers tend to blame students as bearers of responsibilities as if children were free from all the constraints that determine their (unconscious or conscious) actions. Many adults also blamed multiple constraints they experienced with children every day. On one day, Mwl. Khamis said to class C, 'Don't grow your nails long, or we [teachers] will cut them.' Students told me later that it was a metaphor for saying, 'If you behave badly, we will punish you'. It seemed to imply how he viewed students as 'naturally unruly' bodies that need to be measured against adults' standard of good or bad as well as bearers of individual responsibilities nevertheless alienated from themselves. The ontological liabilities of the bodies, such as sleepiness because of hunger, lack of sleep or tiredness in general,

are seen as the evidence of disorder in schools. Next, I will consider teachers' accounts of their own deagentification imposed by their environment.

### **Working conditions and teachers' response**

In July 2007, Education Minister Margaret Sitta pledged to the parliament that she would employ more primary and secondary school teachers to improve the quality of education (IRIN, 2007). However, all teachers interviewed showed their dissatisfaction with their working conditions and staff shortages, and the government's inattention to improving their working conditions. Many were concerned about their housing.

For example, 12 teachers were transferred away from Amani to other schools, but a teacher informed me that the local educational authority only sent five new teachers at the time of the interview (two weeks into the new school year, and they did not have extra teachers for at least another two months). The school had double sessions due to the shortage of classrooms, desks and chairs (Section 6.4.2), and some students of the lower grades were still sitting on the floor. If all the students had attended school every day, the already overcrowded classrooms would have been further filled by 20 or so students sitting on the hard concrete floor. Some teachers also complained that they were not involved in decision-making processes at all, and the government's promises were hardly implemented. Moreover, they identified the importance of advocacy by (to) parents, if the government's aim to ban the corporal punishment is to be effective at all.

As mentioned earlier, teachers themselves are also part of institutionalised punishment, although all teachers said that they valued close relationships with both students and parents in order for them to create an enabling environment of care, respect, peace and love for students. Yet, most teachers seemed to accept the usefulness of corporal punishment within multiple constraints underlined by power<sub>2</sub> relations.

In Amani, more students arrived late compared to Umoja. Some teachers did not bother to stop their lesson to discipline late students. It seemed to amount to the



number of late students, and the time that could be lost from teaching the punctual ones. Ten students might arrive late, and it could have taken the entire 40 minute lesson for the teacher to talk to each one, leaving 70 or more students sitting on *dawati*. For both students and teachers, time management was important.

Mwl. Makole, an English teacher of Amani school, composed a song and on the first day of the new school year, she requested the class to sing it (in English) along with hand claps before she even introduced herself to the class (she did not introduce herself until her fifth lesson, when I requested her to do so, for no students knew her name). The song constituted of two parts:

Part I

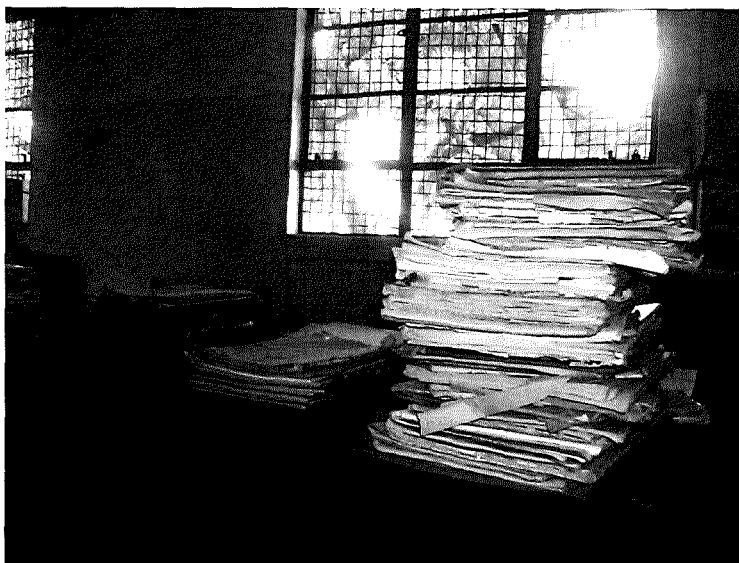
I want to learn but I don't know how  
Come teacher teach me now!  
Show me just what I must do  
Then I might learn like you

Part II

Take all your books and read them well  
Come to school everyday  
Obey teachers and the rules  
Then you might learn like me

While it indicates her effort to engage and motivate students, it also shows how she views students as rather passive objects of knowledge transmission, for children 'lack' the knowledge like her. Constant drilling followed by markings that require extra hours of work for teachers (for example, to mark 100 exercise books per lesson taught), however, is one way to cope with the very large class size and the demands of the curriculum (see Figure 7: A teacher's desk in between classes). Teachers too are required to produce 'visible' and 'measurable' results of their work. One can understand how the demands of class size, curriculum, and under-resourced school environment support this mode of teacher-child relationship.

Figure 7: A teacher's desk



Moreover, as many suggest (e.g. Mbilinyi, 2003), ESR emphasises the importance of more critical thinking and participation of students, that led the education system in the 1970s, but was not sufficient to change the pedagogy partly due to the scarce resources. In addition, Vavrus's (2009) observation in Tanzanian secondary schools and teachers' college suggests the pervasiveness of cultural elements of pedagogy that particularly emphasises respect for elders, as well as economic and political influences. Discipline in Tanzania concentrates more on education as preparation for national examinations, and this seems to reassert pre-existing unequal power-relations between students and teachers.

The ones who punish, adults, are also constrained by relations at four planes mediated by power<sub>2</sub>. The adults' 'rights to punish' as described by Khadija (Section 8.2.4) can be understood as absence of embodied agency of both teachers and students.

### **Coping strategies to mitigate the effects of *viboko* – differences and changes**

The above section argued that while teachers employ various strategies to cope with minimal resources, using their agency, absence of their agency as the ones who punish leads to absence of children's rights to be protected from violence. The next examples show how students cope with the effects of corporal punishment – *viboko*

(canings) – and show the ways in which children embody differences and the possibilities for change through their responses, in summaries of several episodes from my field note (see Appendix 21: Field note extracts).

All students of class C, instantly stopped talking when Mwl. Oningo came into the classroom. Five boys were called forward, for breaking the school rules about uniform, and were punished in front of their classmates, silently. Some of their classmates laughed at them and others merely ignored the event or observed with no particular expression on their face (5 November in Amani).

On a sunny quiet afternoon, the silence in the classroom was suddenly broken by the sound of caning happening outside. But the class C students paid no attention to the event and continued to write into their notebooks (28 February in Amani).

Just as I was arriving at the school, Mwl. Edda started caning each student in the class. The students quietly waited for their turn. Some students, who caught my eyes smiled a little (27 February in Umoja).

Kneeling down was a common punishment in both schools. On some occasions, when they arrived late students voluntarily kneeled down on the concrete floors in line, until a teacher told them to go sit on *dawati*. Usually students responded to caning quietly. Some younger students cried. Some students at all ages resisted for a few seconds by raising their hands in front of them with their eyes and mouth closed, anticipating pain. Many students did not pay much attention to the events whether happening to themselves or to others. A few laughed at the ones being caned. Others carried on with their studies or a little nap. Those who were punished often waited for their turn in silence with a small sign of distress. When they caught the others' eyes, they smiled a little. In Amani school, caning (in public) was more common compared to Umoja. A couple of prefects also caned their peers unlike in Umoja, and it was more common for Amani students to laugh at their peers being punished.

These responses suggest the way they learn to distance themselves from the violence by non-recognition or denial of such events (see Appendices 22a and 22b: drawings by students). Children are thus alienated at plane 2 through disconnection with others or denial of absence of peaceful relations in lived experience. It must be also noted that children and adults distinguished between punishment as 'educative' within caring personal relationships, and punishment as uncaring violence (Section 8.3.2; Payet and Franchi, 2008). While I had to walk out of such situations, students

had learned to look as if they ignored the events. Learning the 'best' (least embarrassing) ways to endure the pain in others and themselves (by smiling, ignoring, and silence) thus seemed to be accompanied by learning to disembodify and thus disown their own feelings through denial of absences of justice and respect for children. The various strategies employed effectively are forms of disconnections both from the self (alienation at plane 4) and from others (alienation at plane 2) contrary to what many Tanzanians value – peace, respect and love. Caning seemed to teach children a display of a firm command of their bodies through mind, thereby mastering the body 'like adults'. Foucault's approach to punishment and discipline reviewed in Chapter 4 explains how children's bodies are often seen as a means of reproduction of the already existing child-adult relations under unequal power relations.

However, this practice of disconnection with others can also be understood as a form of agency that inter-/intra-relates with alienation at plane 4. Power has multiple aspects and is emergent of relationships between people and relations at other planes (see Chapters 4 and 5). Foucault goes beyond one and two-dimensional power to suggest the possibilities of resistance and difference (alterity), but rejects 'the idea of (epistemology of) universal necessities in human existence', for he argues that it perpetuates the arbitrary power of the institutions (Foucault *et al*, 1988: 11). That leads to the subsequent lack of an explicit ontology of human nature that blocks the edge for change in difference, and difference in change, which MELD brings in as shown above. The DCR approach to discipline and punishment can show the greater possibilities of active agency embodied in children.

#### **8.4 Corporal punishment of children and absence of dignity -summary**

This chapter has explored the punishment and discipline of children, through the concepts of four-planar social beings and MELD in forms of power constituted by history, institutions, policies, laws and social rules. Punishment is administered by and upon children's bodies and emotions, and continues to reproduce forms of childhood, schooling, and unequal child-adult relations through mind/body and reason/emotion splits. These warrant coercion of the body by the supposed rational free mind, and

efficiently and effectively impose the social norms until children identify themselves with the actually existing morals.

While the tensions and contradictions within practices of and beliefs about corporal punishment of children as a disciplinary tool are complex, I suggest that understanding the ontology of universal human nature is the key to bridge such contradictions and gaps that continue to maintain child-adult relations in all four planes. How can human rights address these problems? The concluding chapter considers how rights can bring together the problems under power<sub>2</sub> relations and are woven into all the existing relations.

## Chapter 9 Conclusions: human rights towards freedom

### 9.1 Introduction – brief summary of the preceding chapters

I am pleased to come to school today, because in school I get help to become more knowledgeable and to go on with studies to get enough education. And now I am in the standard seven I will be so happy, when I hear that I pass [the national examination]. Because I really want a secondary education. I will tell my mum, because God lets her provide me with education until I reach university. I mean I want to become a teacher or a doctor to help people with diseases of different kinds and to help people or a person, who has different kinds of problems. I will be so glad if I hear that our country Tanzania will be providing education, teaching cultures of high standards or in the top of the league (Extract from Zuwena's diary).

The above quote emphasises the capacities and liabilities in both children and education. The future Zuwena (age 14, Amani) envisages is largely conditioned by education as an opportunity to become 'knowledgeable' so that she can help people. Bhaskar states that 'the free flourishing of each is the condition of the free flourishing of all' (2008b: 98). Fourth dimension 4D, is the emergent property of first moment 1M (see Section 5.6).

The critical realist account of freedom and justice can be understood in terms of flourishing, well-being, autonomy, emancipation, negative and positive freedoms, and legal freedom (Bhaskar, 2008b). In Chapters 2-8, this thesis looked at existing beliefs and ideas about human rights, childhood and punishment relating to problems of corporal punishment of children, their freedom and justice. Chapters 2-4 reviewed the relevant literature, and concepts, in order to clarify my data analysis. Chapters 5 and 6 reviewed and summarised the existing methodologies and my practical approach to research in relation to critical realism. Chapters 7 and 8 then explored the gaps and questions raised in Chapters 2-4 through analyses of my findings in the light of four-planar social being and MELD. Amongst all, the main themes were:

- Generation - childhood-adulthood, teacher-student, and inter-age relations;
- Education - including the integrity and morality of teachers and parents/guardians and punishment;
- Globalisation – global inequalities, post-colonialism and international financial systems;
- Economy – including budgeting, funding and policy for the schools, corruption, mismanagement, very large class sizes, staff training and support; and
- Human rights and children's rights.

Amongst the above themes explored in Chapters 7 and 8, the problems of the splits between mind/body, reason/emotion, individual/society and child/adult, and non-recognition of embodied absences that emerge from the splits were identified. For example, the splits bring about contradictions and discrepancies between the very respectful treatment of adulthood and the forcible and humiliating treatment of childhood. The still outstanding questions and contradictions are:

- How relevant is their schooling to develop the students' knowledge and skills to address the present and likely future major problems in their lives? (Plane 1)
- How can adults give moral educations without also setting practical examples? (Plane 2)
- Where is the discrepancy between respectful adulthood and humiliating childhood taking the country? (Plane 3)
- How does the current emphasis on unquestioning obedience and rote learning help to promote the 'better future' for citizens, contribute to equity and opportunities, social harmony and justice? (Plane 4)
- Why does corporal punishment continue to be practised in many countries, despite its ineffectiveness? (MELD)

The four parts of Section 9.2 look at each of the above question as to why these contradictions are still happening in the light of four-planar social being in relation to human rights and the absence of respect for the UNCRC (Appendix 1). Section 9.3 then brings in MELD (Chapter 5), further discusses education without violent discipline to bring about greater justice, critically questions how the existing discrepancies and contradictions contribute to (or interfere with) realisation of a more equal society, and reviews corporal punishment in relation to power<sub>1</sub> and recognising absences of respect for human rights. Section 9.4 considers how the critical realist approach to ethics can help to illuminate the universality of human rights principles.

## **9.2 Four-planar social being and human rights**

Chapters 7 and 8 clarified that a problem with continuing corporal punishment is lack of recognition of embodied common human nature and human rights. However, the ontology of common human nature in four-planar social being is also informed by the epistemology of rational free agency (see Chapters 2-4) under power<sub>2</sub> relations (Chapters 7 and 8). This section aims to clarify the human nature that entitles every human being to rights and justice in the four-planar relations.

### 9.2.1 Human rights as plane 1 relations: material interactions with nature through our bodies

- How relevant is their schooling to develop the students' knowledge and skills to address the present and likely future major problems in their lives? These include many aspects of poverty in poor food<sup>30</sup>, water and sanitation, leading to physical weakness and disease. The problems that are increasing with climate change in rising temperatures, and shortages of food and safe water, and also with the rapid growth of slum cities

Recognising the ontology of human nature can show how children experience and embody their rights in four-planar social being. In schools, students cleaned classrooms, gardens, schoolyards and staff rooms, and watered flowers every morning. This seemed to help them to develop respect for their environment to a certain degree (UNCRC, 1989 Article 29). However, the taken for granted responsibilities, the hard work and useful contributions of the students were also another site of surveillance, learning and obedience, rather than recognition of how their respect for their school environment could be both emotionally and physically rewarding (Chapter 7).

Moreover, the schools' lack of clean water, affordable nutritious food, and clean sanitation and the virtually non-existent electricity in rather dark classrooms (absence of UNCRC Articles 6, 24, 27) combined with long school hours, strict rules and physical punishment, the inadequate very uncomfortable seating and insufficient time and space for relaxation and play (absence of Articles 24, 27, 31), students often experienced discomfort, tiredness, hunger, pain and fear in general.

Contrary to policy claims (URT 1996, para. 18), children are denied basic rights. The splits between purposes and outcomes, policy promises and practices, and implicit and explicit theories of childhood in the Tanzanian Education and Training Policy (URT, 1995) and Child Development Policy (URT, 1996) (Chapter 1) dominate both schools. Existing power<sub>2</sub> relations with absences of human rights in plane 1 relations alienate and prevent students from fully developing their knowledge and skills in order to change, enhance and learn to engage with the natural and physical environment. The rote learning did not encourage critical challenging learning about

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<sup>30</sup> See, Friends of the Earth (2010) report on the problem of 'land grabbing' in Africa for biofuels by developed countries-based companies.



the current politics of climate change or the rapid growth of cities through enforced migration from rural areas as well as the very high birth rate, or equip students to feel able to challenge and work to influence national and global policies that affect their future well-being and survival (Davis, 2007).

### **9.2.2 Human rights as plane 2 relations: interpersonal relations**

- How is it possible to give moral education unless adults also set examples by doing what they tell children to do?

There were many contradictions in the schools between what teachers told students to do and what teachers actually did. One example was the teachers talking to each other during examinations while telling students to remain silent and concentrate on the papers (Chapter 7). The more senior teachers were very much aware of such discrepancies, and made every effort to set good examples, and to supervise less motivated and 'lazy' teachers through surveillance, warning and advice. In general, teachers 'knew' that it was important for students to have living role models set by teachers and other responsible adults.

However, there was a general absence of respect for children and their rights. Adult role models for children were often taken negatively to be synonymous with the 'fight' against childhood ignorance and literally unruly bodies (Chapters 7 and 8), with indifference, anxiety, and distrust, instead of with positive direction, guidance and respect for children's rights (absence of UNCRC Article 5). Instead of listening to children's views, reasons and opinions, teachers tended to impose their own assumed reasons and explanations for children's behaviours (absence of Article 12) (see Chapter 7). The non-recognition of children's views and needs could often result in aggressive and violent relationships (absence of Articles 19, 37) in both schools and at home. As many students pointed out, this also caused truancy and dropout from school (absence of Article 28).

As children attested, plane 2 relations contributed to how children related to others to a great extent. Children said that people learn from each other, and ignorance, inappropriate guidance and direction given by adults orally or by practical example influenced the way children themselves behaved and treated others (absence of

Article 29). Unless the state provides more support and training for teachers (see Section 9.2.3 below) and clearly abolishes corporal punishment by law (Chapter 1), it will continue to be very hard for children to follow the 'principles of the national ethic and integrity, national and international cooperation, peace and justice through the study, understanding and adherence to the provisions of the National Constitution and other international basic charters' (URT, 1995: 2).

### **9.2.3 Human rights as plane 3 relations: social structures and institutions**

- Where is the discrepancy between respectful adulthood and humiliating childhood taking the country? Is this really in everyone's interest? Is society experiencing social fragmentation? The very strong three generation contract exists in Africa, but how is it threatened with poverty and disease? (Plane 3)

Chapter 7 on the strong intergenerational contract in Africa positions children and lends them moral status as future-tense agents. But it is being seriously threatened by poverty and the HIV/AIDS pandemic, as well as by rural-urban economic migration, which often separates extended families on which children vitally depended. The weakening of intergenerational relations at plane 3 is undeniable, despite these relations very often being seen as priorities in African societies. The Government of Tanzania states that it recognises children as an important part of the society in its policy documents (URT, 1996). Yet failures to relieve poverty could cause further exclusion of childhood along with the constant silencing, non-recognition, marginalisation, and denial of children's rights and interests within existing child-adult relations (Chapters 7 and 8).

As Khan (2009) argues, exclusions keep people in poverty and poverty is very much a problem of unequal social relations, as well as unequal distribution of resources and opportunities and the means to live in the way people value, to have an 'adequate standards of living' (absence of Article 27) and the highest attainable standard of health (absence of Article 24). Economic inequality is exacerbated by national and local government corruption and mismanagement (absence of Articles 4, 18, 19, 20). Governments undertake to 'inform adults and children alike' about children's rights (Article 42) but students, teachers and parents did not have correct information about the rules and laws on school corporal punishment (absence of Articles 12 and 17) or how to complain about abuse or to work with schools to change oppressive

and cruel routines (absence of Articles 2, 3, 12, 13, 28, 37). Reasons for punishment included the students' inability to pay their examination fees and other expenses (absence of Article 28). There were also the very large classes and extremely hard working conditions for both children and adults, making it difficult and sometimes impossible for teachers to maintain order without threats and violence (absence of Articles 19, 28). Moreover, the non-recognition of disability such as dyslexia was apparent in schools. Some students who were not able to read were almost always seen as lazy and were punished instead of being provided with appropriate support (absence of Articles 23 and 29). Children were also denied their rights to freedom of association and peaceful assembly (absence of Article 15), because 'hanging out' on the streets to meet their friends could be described as 'being engaged in *makundi*' instead of meeting and playing with friends in the way many adults did, during their childhood (Chapter 8) (also see Appendix 23: children's protest in Dar 2008).

One parent, who supported the use of corporal punishment, said that to stop hitting children and to give opportunities to express their own views would give them '*kivuli*' (shade – commonly that of tree to rest under; practically it means space to express their own view or vision). For most African adults, a child who expresses views is a source of disorder, but this meant unfair and unequal treatment of children when adults valued meeting and talking together themselves as part of the communal 'moralities of Tanzanian society'.

#### **9.2.4 Human rights as plane 4 relations: identity and autonomy**

- How relevant is the currently existing emphasis on unquestioning obedience and on rote learning for children's lives? How will it bring the 'better future' for citizens as the policy aims to do? How does it contribute to equity? What possibilities and opportunities might the future 'educated adults' have and not have? How can education encourage social harmony and cooperation to prevent armed conflict and to promote justice, such as when sharing scarce food and other resources? (Plane 4)

In both schools (particularly in Umoja school), there was great emphasis on entry into secondary schools, and the students and teachers were united to achieve the 'upward graph' for the future, believing it as the most important aim of education (Chapters 7 and 8). The cramming and long hours before the entrance exams,

however, seem to alienate both students and teachers from themselves through non-recognition of their agency.

The long-hours and rote learning in schools contribute to the institutional relations, in which children's autonomy as free creative agents is denied (absence of Articles 3, 12). The students internalised and embodied the rules of compliance to avoid pain (absence of Articles 19, 28, 37). They did not speak about their own contributions to their family, for teachers and the school environment as their active agency. Instead of recognising such activities in terms of initiatives and contributions, adults and children themselves often viewed them as passive – fulfilment of responsibilities to obey (absence of Articles 16, 29). Children consciously or unconsciously identified themselves as passive beings in relation to adults.

While alienation from the self can be understood as a form of self-preservation, for example, from the pain of corporal punishment through the practices of silencing their own voices and feelings, the alienated individuals (both adults and children) are generally characterised by pressure, anxiety and fear (Chapter 8). Such negative feelings themselves are objects of non-recognition, denial and rejection. The pedagogy in schools that promotes mastering of the bodies continues to make children internalise the rules of obedience and uncritical (at least not overtly) thinking as 'future' citizens, who can successfully ignore their own bodily and emotional sensations and lasting feelings that influence their autonomy and identity. The 'educated adults', who do not recognise, appreciate and respect other individuals' hard work, are likely to undermine children's own motivation and initiative, their respect, and their potential to change and to create (Chapter 8). Education is often seen as a means to self-realisation, but realisation of what? Children's future aspirations tended to be stated in terms of an objective to realise. However, education does not involve realising the self in isolation, when isolation renders morality an empty concept to be defended. Children did not say they wanted to help their parents, because it would make them good, rational individuals. Instead, they worked and studied because they wanted to benefit their parents and family, and so that they could overcome what limited their relations with their parents, nature, and

the society that constituted them. It is not possible to realise ourselves in the absence of relations. Through education we realise our own possibilities to cause to absent the unwanted. In the absence of conscious or at least expressed awareness of their own feelings and bodies, the present 'educated adults' (and the future educated adults alike) under power<sub>2</sub> relations blame others, rather than appreciate others and take responsibilities positively, because connections and sharing are almost absent in the opposition between teachers and students made manifest in corporal punishment.

### 9.3 MELD and human rights

- Why does corporal punishment continue to be practised in many countries, despite its very ineffectiveness evident in the fact that it is still so widely and repeatedly used? Why should people accept the banning of corporal punishment?

This section is primarily concerned with the above questions and the role of human rights as an embodied means to achieve more peaceful relations. It tries to explain the reasons for the continued use of corporal punishment in relation to the DCR concept of MELD, which is driven by informed desire or need for freedom under power<sub>1</sub> relations through alethia<sup>31</sup> that can be understood as something like inevitable truth, which directs (but does not determine) us towards more peaceful, free and just relationships (Bhaskar, 2008b; Norrie, 2010).

#### 9.3.1 Ontology of what is not

As Brown argues a learning environment is a 'set of conditions that enable and constrain learning' (2009: 16). The contradictions and discrepancies in children's school experiences under the actually existing morality lead to splits and limit their possibilities instead of encouraging them (Chapters 7 and 8). The epistemic fallacy imposes on children a moral status devoid of the autonomy and reason that are seen as essential criteria for rights bearers (Chapters 2-4, 7 and 8).

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<sup>31</sup> The dominant approaches' claims to truth often reduce 'truth' to epistemology. The critical realist idea of alethia is characterised by its tendential directionality that emerges out of real experienced absences as four-planar social being. Alethia or truth is ontologically real, for it emerges out of desire and the need to absent the experienced ills at 2E, recognition of dependency on others as well as others' social and natural constraints at 3L (the grasp of overall conditions including the presence of power<sub>2</sub> relations), and the agential action of concrete singulars at 4D (instead of abstractly reaching a decision, for instance, under the 'veil of ignorance' [see Rawls, 1971 and Section 4.5]).

The denial or non-recognition of children's agency conveniently distorts the problem of children's rights to be free from inhumane or degrading treatment including all forms of corporal punishment into problems that children supposedly create themselves. For example, the annual statistical report on Basic Education merely treats 'truancy' as one of the reasons for drop-out, which accounts for over 70 per cent of reasons (2002-2008, NBS, 2007b; 2008a) instead of asking why they become truant, when truancy is often actually an effect of problems of deeper structures. Flat ideas about childhood and punishment, such as 'objective' and 'just' benefits *for* children and *for* society, that pertain to misinformed desire allow adults to believe that 'there is no alternative but to use corporal punishment' (Chapters 3, 4, 7, 8). Children's plane 4 relations to themselves are characterised by the absence of respect for their own rights or self-esteem as humans with equal worth to the adults.

The splits that can be understood as lack of respect for children's material, biological, emotional, and social needs and constraints as four-planar social beings – humanity – thus continue to allow legally and apparently socially just corporal punishment. Yet this absence of humanity as concretely singular individuals indicates absence of the freedom of all at first moment (1M) (Section 5.6). As critical realists argue, it is important to recognise and understand the ontology of absence – as a status of non-being and of not-yet-being – for any attempts to change conditions that constrain children's learning and deny their autonomy as agents, because without recognising the ontology, any efforts to achieve a 'just' society or humanity will be empty. Human rights enable us to identify what is ontologically absent, which leads to the next moment (2E) towards freedom.

### **9.3.2 Being away from the false beliefs**

At the second edge (2E) of absence, the ontology of absence is mediated by spatio-temporality of being in the world, including power<sub>2</sub> relations. The thrownness of being in the world emphasises the processes of change (Chapter 5). In the two schools the reality of the students as four-planar social beings in the particular setting (time and space) is conditioned by discursive morality, as seen in Child Development Policy (URT, 1996), for instance. The disconnected stages of development associated

with unequal rights and responsibilities allow no room for change in itself, because the reality of contradictions and discrepancies is also denied (Chapters 3 and 7).

The problem of denegation not only denies children's potentials to change, but also marginalises children's desire to change that arises from the child's reason-emotion to act (see Norrie, 2010: 139-140; Chapters 7 and 8). The denial justifies the use of corporal punishment, because their 'qualified' right to education is understood as the mastering of their body into the other - adulthood (see Chapters 7 and 8). Instead of encouraging their possibilities, there is denial of children's rights through active practices of silencing, punishment, exclusion and inaction within the ideal 'unchanging' (adult) society as envisaged by those who punish. The false necessities of childhood are understood as a period that requires fear through bodily sensation in order to become rule-following rational and autonomous rights holders in future (Chapters 4 and 8 and Section 9.2.3).

Recognising the changing nature in and of being can allow us take the first step towards being and away from false necessities of power<sub>2</sub> relations, practising human rights principles, without compromising children's well-being as part of social relations, instead of being outside adulthood. For this end, education that encourages their creativity and critical thinking in relation to children's relations with four planes should be taken seriously instead of being feared as a source of disorder by doing what we (adults) preach (more on this in Section 9.4).

### **9.3.3 Connections with others in lived experience**

At third moment (3L) of totality, the splits are reified. Inter-personal relationships between, for example, a student and a teacher underlined by the rhetoric of 'individual' responsibilities alienate children and push them further away from what adults want them to be. As shown in chapters 7 and 8, schools are actually full of sources of resistance. The strict rules that do not apply to adults, overcrowded classrooms, inadequate sanitary provisions designated to students, the series of tests and exams that only focus on cramming and measurement of linear standards, and

the absence of closeness or love between them, all negatively contribute to the denial of children's rights<sup>32</sup>.

However the non-compliance or resistance by children was regarded as the source of 'disorder' that requires tighter and stricter control and discipline to maintain the existing social structure to normalise children (see Chapter 8). Such interpersonal-relations based on blame express power<sub>2</sub> relations that disengage children and adults from each other instead of building trust and harmony (Chapters 5 and 8).

Thus instead of disciplining children in order to make 'a great school' as described by Mwl. Oningo in his interview, the violent relationships that justify the use of corporal punishment can render the 'future adults' and society a mere aggregate of disconnected individuals, who blame each other. It is not the human rights that disconnect the society, but the absence of the respect for human rights that can help to realise mutual trust. Children as well as adults as four-planar social beings experience connections and trust with others in lived experience (processes of individuation – Chapter 7).

#### **9.3.4 The agency and freedom of each individual**

Trust and connections emanate from the recognition of our own thrownness as well as of others as four-planar social beings (Sections 9.3.2-9.3.3). The connections based on understanding of the situated nature of each individual are the condition for the concrete singularity at fourth moment of agential activity (4D) located in first moment (Section 5.6; Bhaskar, 2008b).

As seen in Section 8.3.4, children are told not to 'grow their nails'. The denial of the unique individuality and biological making of children results in the false necessities that limit and/or deny the agential actions of both adults and children. The 4D moment in Chapters 7 and 8 explained how agential actions require more enabling conditions in all four planes as concrete singularity. DCR dialectics for freedom and justice explain the moments that go forwards and backwards in terms of the concrete

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<sup>32</sup> Although love cannot be a right, it is highly valued in the UNCRC Preamble (Appendix 1).



universal ↔ singular dialectics (see Section 5.6). It is the DCR dialectics of unification of trust, harmony and individual agency (2E-4D) that lead to what Bhaskar (2008b) calls 'eudaimonic society' or universal human flourishing that contains the freedom explained above (1M).

The concept of rights as inalienable and equal entitlement of each individual is a useful means to recognise and practise this trust, unlike many critiques that understand human rights as a form of 'Western' individualism or 'Western' childhood inapplicable to the conditions of the majority world (Chapter 2). The protection of children's rights including banning of corporal punishment can direct us towards solidarity.

#### **9.4 A critical realist approach to human rights and education as ways forward**

This section aims to further explain and connect the critical realist approach to ethics and the international human rights principles, and why it is both necessary and possible to implement the UNCRC principles including the banning of corporal punishment of children.

##### **9.4.1 Applicability of critical realism to human rights principles**

Firstly, DCR (Section 5.6) establishes the ontology of universality, which can apply to the UNCRC's moral claims to universal truth. The dominant approaches' emphasis on epistemology tend to lead to either abstract universalism or to relativism. However, critical realist accounts of relations between fact and value or theory and practice, which are held together particularly at the 3L of totality through stratified, processual and differentiated ontology that locates epistemology within it, while not reducing to each other (see Sections 5.5 and 5.6), explain how we can come to know this. For instance, Chapter 8 explained why children's material, social, and inter-/intra-personal conditions need to be constellated in order to respect children as individuals, who have capacities for human agency, which are too often dismissed as idealistic or destructive.

Secondly, as Bhaskar argues, transformation is guided by the inevitable truth (see footnote 31) that will lead 'not to an end state, but to an objective process of universal human self-realisation, eudaimonia or flourishing (-in-nature)' (2008b: 176). The UNCRC as a comprehensive set of principles that can ground and guide our practices of respect is aspirational and prescriptive (Chapters 1 and 2). Yet their absences are very much felt and embodied (see Chapters 7, 8 and Sections 9.2-9.3). This aspirational aspect of the UNCRC is the felt and embodied absences that may be guided by the inevitable truth, which enables us to critically engage with actually existing morality that may be inadequate (see Bhaskar, 2008b). The rights approach allows us to guide our actions (according to time and space) while still conveying a deeper intransitive moral sense as distinct from mere propositions, requests or suggestions (Chapter 8).

The third point overlaps with the second. DCR accounts of MELD reveal the moves between, for example, forms and content, fact and value. The dialectics that move forwards and backwards (as opposed to linear progress) resonate with the UNCRC's nature as a practical tool to instigate actions in concrete contexts and not merely in the abstract, for example, when governments have to report regularly to the UN Committee on their progress in implementing the Convention. The UNCRC does not superimpose the 'idealised' childhood, but allows for understanding of the reality of coexistence, layers, and diversity that structure morality, while existing as an agreed legal embodiment or ontology of what is morally true.

Fourthly, the UNCRC is itself a historically developed product as response to injustice across time and culture (Chapter 2). Its development is still in process as the refinements of definitions through practices (like many other laws) indicate. The UNCRC acknowledges 'the child' as an individual agent in-nature-in-society – 4D, and thus presupposes our sociability. It is not a means to divide, but to realise the very sociability that is a building block of peace and justice – 1M.

#### **9.4.2 Education towards concrete universality**

Understanding the UNCRC's universality through DCR suggests that its universality does not only derive from the authority of the UN. It is also not a choice between

authority A and B, or between my belief and my parent's or grandparent's belief. The UNCRC is based on agreed human rights that were slowly won over centuries, as well as taking ten years to be written by lawyers from all continents, and further years to be ratified. The 42 main Articles are based on a choice made on grounds of what is closer to the true description of beings-in-nature-in-society (in which beliefs play their roles) and some basic needs to realise the capacities of the beings.

The students' experiences in the two schools show how they require concretely grounded care instead of only the rhetoric of human rights (also see Young 1989). Critical realist understanding of concrete singularity is very different from the commonly understood meaning of diversity (e.g. Sen, 1992), in which age, culture, gender and class, for example, are often understood as taken for granted sources of diversity (and inequality), but not as problems that themselves require scrutiny and have possibilities of transformation, for their very embodied nature. The above chapters showed how the unequal enduring social structures, which are inappropriately explained, and hardly questioned, continue (unnecessarily) to produce the bodies in pain.

A critical realist approach to childhood and punishment to the Tanzanian culture of 'respect', fear, obedience and responsibilities suggests how real changes require changes amongst teachers, parents/guardians and students, who all powerfully contribute to the reproduction of inequality. Changes require everyone to reflect on their existing values and beliefs about the very ideals they try to protect: respect, the well-being of society, and children as future generations.

By recognising absences, schools can be places to teach the importance of being honest about one's own mistakes and difficulties (whether individual, inter-personal, or institutional) instead of 'fighting' the ignorance, mistakes and difficulties. When teachers and students recognise their own feelings and reflect on them more positively, they can re-frame their relationships with others instead of ignoring them as being undesirable and unhelpful, in order to have rational, reasonable decisions and assessments.

Understanding children's responses in terms of four-planar social beings affirms the taken-for-granted skills of communication: listening carefully, relating to one's own experiences in order to understand better, and respecting silence. However, these common sense skills of communication that children possess were often marginalised or ignored in the two schools. In another words, the common sense was disproportionately applied by both adults and children to understand and explain children's capacities. For example, the silence of children was often understood as a sign of their incompetence instead of their agency. Moreover, many adults laid aside the building of more respectful relationship with children by listing the problems of ill-equipped, understaffed schools, the low salary of teachers and general poverty.

To address these problems needs the real commitment of the Tanzanian government. The participants (children and adults) said that there need to be, for example, more secondary schools, more teachers, better teacher training, more desks, more textbooks, more classrooms, better access to water, electricity, clean sanitation, resources allocated to education, for them to be able to learn and teach in peaceful environments. Yet in individual cases of 'misbehaviours' adults tend to 'bracket' such relations that children embody. While the government waits for change somehow to happen, and 'suggests' and 'requests' its nation to change their attitudes and practices towards corporal punishment of children, it perpetuates the hard conditions in schools that prevent real improvements (see Chapter 1).

These 'practical' suggestions may sound unrealistic even to those very people who recognise the needs. Yet what is really real when, for example, interviewees' reported perceptions and my observations differed? Through application of the critical realist approach to my fieldwork data, this thesis illustrated and explained how the hidden or unobservable meanings, contradictions, and changes need to be constellated as part of the generative mechanism that leads towards change in order to realise children's (as well as adults') capacities for transformation to replace the currently existing mechanisms of childhood-adulthood relations. Answering the questions about the realities of punishment has been a daunting task throughout my research,

but it was also the very question that led me to try to understand and explain the problem of corporal punishment of children in Tanzania. My interest in schooling, culture, human rights as institutions and their relations to the 'reality' of body and pain as both natural and social objects led me to pursue this topic. Through engaging myself in data analysis from a critical realist approach, I identified how, as a four-planar social being, I was motivated by the experienced real absence that can often go unnoticed or be denied as lack of rationality. Recognition of missing real absence in dialectical moments towards concrete universality through concrete singularity (individuals in their geo-historical and material conditions in nature) also emerged from connecting theory (e.g. the sociology of childhood) to observed practice (i.e. empirical data). Reality is not reducible to either the actual or the ideal, but is stratified, transfactual, differentiated and changing, and operates in open systems.

Individual children's time-space materiality in the world requires constant reflections and transformations, because of the very materiality of the world that is characterised by both differences and changes. Their thrownness in the world requires constant refinement through human agency as (singular and particular) concrete singularities. From this perspective, schools should be the place, where (all) individuals inform each other about the ways to better engage with the constantly changing and differentiating circumstances towards workable solution in recognition of others, instead of imposition of fear and individual responsibilities. Education is a means as well as a series of processes to inform the 4D moment (see Green, 2007). The schools as site of struggles over 'truth about' our human nature, which focuses on disconnected causes of constraints or possibilities, ignore the necessity of our relation to material reality, in which students, teachers, parents, and those in authorities act.

This poses a very fundamental question about what education is in face of the problems that we face today. In Japan, the education system that I went through relies upon constant cramming and examination that measures the ability to recall 'facts' rather than questioning them. It is similar in Tanzania. This seems to have produced generations that tend to dismiss the problem of, for example in Japan,

whaling as a mere 'fact of culture' that requires hardly any reflection and actions (including seeking more information about the so called facts) to change (see e.g. BBC, 2010). Although it is also questionable whether producing numerous visual and written 'facts' to educate the public by throwing questions at local fishermen in the language they hardly understand, encourages any changes at all (e.g. 'Cove' film that condemns Japanese dolphin hunting).

As Green argues, education through practices of pedagogy for praxis (thinking, engaged and critical) based on dialectical processes are themselves emergent and possess real possibilities to address 'all forms of manifest ignorance, false starts, oppressions, arrogances, and barbarisms of nonbeing that stifle progressive ingenuity' (2007: 12). However, my findings also suggest that there are real absences in the form of education that Green (2007) describes. While the importance of teaching and learning numeracy, literacy, and other skills that may better prepare the students, who are very eager to learn in preparation for the currently existing labour market, is undeniable (see Green *et al*, 2007 for critical analyses), the existing form of education also requires practices for changes by recognising children's rights in and through education (see Verhellen, 2000a).

Human rights need to be practised as part of such educational processes that facilitate but do not determine the differences and changes. The UNCRC provides institutionalised means to recognise the differences and changes with due respect. The thesis has shown how recognition of absences (including those of rights) provides opportunities to remedy the contradictions and conflicts, rather than necessarily to disrupt the social order. The conceptual compartmentalisation of human beings into imagined parts (mind/body, the self/other, individual/society) does not convincingly capture our day-to-day relationships. Education is about recognising absences in relation to what we already understand, and how we can constantly renew and reframe our relations towards workable solutions in the changing world.

This thesis has tried to reveal the falsity of what we believe is right and wrong about corporal punishment of children. In doing so, it has pointed out the tendency of

power<sub>2</sub> relations, under which the ideal (or interests of some) can be invoked as the actual and justified the epistemology of children's bodies as objects of punishment to maintain and reconstruct the existing social relations. However, identification of absences based on the splits testifies that things ought to be and can be better. Critical realism sheds light on the ills of knowledge of being (epistemology) itself as objects to be absented, for our dignity as four-planar social beings is exactly what it feels to be in pain and to suffer. Children's bodies are not freestanding passive objects to pass through the already existing unequal moralities. Pain cannot be reduced to interpretations by those who inflict it, and the question is not how to administer it. Bodies are the sites (emergent totalities) that contain the possibilities for change. The ignored and denied possibilities – children's freedom including autonomy – point to the ontology of (concretely universal) children's human rights (including the real necessities of banning of corporal punishment) as a condition of MELD movements from desire to freedom and justice.

This study was a preliminary attempt to link dialectical critical realism, childhood and children's rights. I believe that more critical realist research in this area could help the UNCRC, governments and all their local agencies in their monitoring and evaluation and their working for progress to benefit all children.

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## Appendices

### Appendix 1: UNCRC (1989) Preamble and Articles 1-42

#### Preamble

The States Parties to the present Convention,

Considering that, in accordance with the principles proclaimed in the Charter of the United Nations, recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Bearing in mind that the peoples of the United Nations have, in the Charter, reaffirmed their faith in fundamental human rights and in the dignity and worth of the human person, and have determined to promote social progress and better standards of life in larger freedom,

Recognizing that the United Nations has, in the Universal Declaration of Human Rights and in the International Covenants on Human Rights, proclaimed and agreed that everyone is entitled to all the rights and freedoms set forth therein, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status,

Recalling that, in the Universal Declaration of Human Rights, the United Nations has proclaimed that childhood is entitled to special care and assistance,

Convinced that the family, as the fundamental group of society and the natural environment for the growth and well-being of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community,

Recognizing that the child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding,

Considering that the child should be fully prepared to live an individual life in society, and brought up in the spirit of the ideals proclaimed in the Charter of the United Nations, and in particular in the spirit of peace, dignity, tolerance, freedom, equality and solidarity,

Bearing in mind that the need to extend particular care to the child has been stated in the Geneva Declaration of the Rights of the Child of 1924 and in the Declaration of the Rights of the Child adopted by the General Assembly on 20 November 1959 and recognized in the Universal Declaration of Human Rights, in the International Covenant on Civil and Political Rights (in particular in articles 23 and 24), in the International Covenant on Economic, Social and Cultural Rights (in particular in article 10) and in the statutes and relevant instruments of specialized agencies and international organizations concerned with the welfare of children,

Bearing in mind that, as indicated in the Declaration of the Rights of the Child, "the child, by reason of his physical and mental immaturity, needs special safeguards and care, including appropriate legal protection, before as well as after birth",

Recalling the provisions of the Declaration on Social and Legal Principles relating to the Protection and Welfare of Children, with Special Reference to Foster Placement and Adoption Nationally and Internationally; the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (The Beijing Rules) ; and the Declaration on the Protection of Women and Children in Emergency and Armed Conflict, Recognizing that, in all countries in the world, there are children living in exceptionally difficult conditions, and that such children need special consideration,

Taking due account of the importance of the traditions and cultural values of each people for the protection and harmonious development of the child, Recognizing the importance of international cooperation for improving the living conditions of children in every country, in particular in the developing countries,

Have agreed as follows:

**Article 1**

For the purposes of the present Convention, a child means every human being below the age of eighteen years unless under the law applicable to the child, majority is attained earlier.

**Article 2**

1. States Parties shall respect and ensure the rights set forth in the present Convention to each child within their jurisdiction without discrimination of any kind, irrespective of the child's or his or her parent's or legal guardian's race, colour, sex, language, religion, political or other opinion, national, ethnic or social origin, property, disability, birth or other status.

2. States Parties shall take all appropriate measures to ensure that the child is protected against all forms of discrimination or punishment on the basis of the status, activities, expressed opinions, or beliefs of the child's parents, legal guardians, or family members.

**Article 3**

1. In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

2. States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

3. States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

**Article 4**

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

**Article 5**

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

**Article 6**

1. States Parties recognize that every child has the inherent right to life. 2. States Parties shall ensure to the maximum extent possible the survival and development of the child.

**Article 7**

1. The child shall be registered immediately after birth and shall have the right from birth to a name, the right to acquire a nationality and, as far as possible, the right to know and be cared for by his or her parents.

2. States Parties shall ensure the implementation of these rights in accordance with their national law and their obligations under the relevant international instruments in this field, in particular where the child would otherwise be stateless.

**Article 8**

1. States Parties undertake to respect the right of the child to preserve his or her identity, including nationality, name and family relations as recognized by law without unlawful interference.

2. Where a child is illegally deprived of some or all of the elements of his or her identity, States Parties

shall provide appropriate assistance and protection, with a view to re-establishing speedily his or her identity.

#### **Article 9**

1. States Parties shall ensure that a child shall not be separated from his or her parents against their will, except when competent authorities subject to judicial review determine, in accordance with applicable law and procedures, that such separation is necessary for the best interests of the child. Such determination may be necessary in a particular case such as one involving abuse or neglect of the child by the parents, or one where the parents are living separately and a decision must be made as to the child's place of residence.

2. In any proceedings pursuant to paragraph 1 of the present article, all interested parties shall be given an opportunity to participate in the proceedings and make their views known.

3. States Parties shall respect the right of the child who is separated from one or both parents to maintain personal relations and direct contact with both parents on a regular basis, except if it is contrary to the child's best interests.

4. Where such separation results from any action initiated by a State Party, such as the detention, imprisonment, exile, deportation or death (including death arising from any cause while the person is in the custody of the State) of one or both parents or of the child, that State Party shall, upon request, provide the parents, the child or, if appropriate, another member of the family with the essential information concerning the whereabouts of the absent member(s) of the family unless the provision of the information would be detrimental to the well-being of the child. States Parties shall further ensure that the submission of such a request shall of itself entail no adverse consequences for the person(s) concerned.

#### **Article 10**

1. In accordance with the obligation of States Parties under article 9, paragraph 1, applications by a child or his or her parents to enter or leave a State Party for the purpose of family reunification shall be dealt with by States Parties in a positive, humane and expeditious manner. States Parties shall further ensure that the submission of such a request shall entail no adverse consequences for the applicants and for the members of their family.

2. A child whose parents reside in different States shall have the right to maintain on a regular basis, save in exceptional circumstances personal relations and direct contacts with both parents. Towards that end and in accordance with the obligation of States Parties under article 9, paragraph 1, States Parties shall respect the right of the child and his or her parents to leave any country, including their own, and to enter their own country. The right to leave any country shall be subject only to such restrictions as are prescribed by law and which are necessary to protect the national security, public order (*ordre public*), public health or morals or the rights and freedoms of others and are consistent with the other rights recognized in the present Convention.

#### **Article 11**

1. States Parties shall take measures to combat the illicit transfer and non-return of children abroad.

2. To this end, States Parties shall promote the conclusion of bilateral or multilateral agreements or accession to existing agreements.

#### **Article 12**

1. States Parties shall assure to the child who is capable of forming his or her own views the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.

2. For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

#### **Article 13**

1. The child shall have the right to freedom of expression; this right shall include freedom to seek,

receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others; or

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

#### **Article 14**

1. States Parties shall respect the right of the child to freedom of thought, conscience and religion.

2. States Parties shall respect the rights and duties of the parents and, when applicable, legal guardians, to provide direction to the child in the exercise of his or her right in a manner consistent with the evolving capacities of the child.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health or morals, or the fundamental rights and freedoms of others.

#### **Article 15**

1. States Parties recognize the rights of the child to freedom of association and to freedom of peaceful assembly.

2. No restrictions may be placed on the exercise of these rights other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

#### **Article 16**

1. No child shall be subjected to arbitrary or unlawful interference with his or her privacy, family, home or correspondence, nor to unlawful attacks on his or her honour and reputation.

2. The child has the right to the protection of the law against such interference or attacks.

#### **Article 17**

States Parties recognize the important function performed by the mass media and shall ensure that the child has access to information and material from a diversity of national and international sources, especially those aimed at the promotion of his or her social, spiritual and moral well-being and physical and mental health.

To this end, States Parties shall:

(a) Encourage the mass media to disseminate information and material of social and cultural benefit to the child and in accordance with the spirit of article 29;

(b) Encourage international co-operation in the production, exchange and dissemination of such information and material from a diversity of cultural, national and international sources;

(c) Encourage the production and dissemination of children's books;

(d) Encourage the mass media to have particular regard to the linguistic needs of the child who belongs to a minority group or who is indigenous;

(e) Encourage the development of appropriate guidelines for the protection of the child from information and material injurious to his or her well-being, bearing in mind the provisions of articles 13 and 18.

#### **Article 18**

1. States Parties shall use their best efforts to ensure recognition of the principle that both parents have common responsibilities for the upbringing and development of the child. Parents or, as the case

may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.

2. For the purpose of guaranteeing and promoting the rights set forth in the present Convention, States Parties shall render appropriate assistance to parents and legal guardians in the performance of their child-rearing responsibilities and shall ensure the development of institutions, facilities and services for the care of children.

3. States Parties shall take all appropriate measures to ensure that children of working parents have the right to benefit from child-care services and facilities for which they are eligible.

#### **Article 19**

1. States Parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has the care of the child.

2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have the care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

#### **Article 20**

1. A child temporarily or permanently deprived of his or her family environment, or in whose own best interests cannot be allowed to remain in that environment, shall be entitled to special protection and assistance provided by the State.

2. States Parties shall in accordance with their national laws ensure alternative care for such a child.

3. Such care could include, inter alia, foster placement, kafalah of Islamic law, adoption or if necessary placement in suitable institutions for the care of children. When considering solutions, due regard shall be paid to the desirability of continuity in a child's upbringing and to the child's ethnic, religious, cultural and linguistic background.

#### **Article 21**

States Parties that recognize and/or permit the system of adoption shall ensure that the best interests of the child shall be the paramount consideration and they shall:

(a) Ensure that the adoption of a child is authorized only by competent authorities who determine, in accordance with applicable law and procedures and on the basis of all pertinent and reliable information, that the adoption is permissible in view of the child's status concerning parents, relatives and legal guardians and that, if required, the persons concerned have given their informed consent to the adoption on the basis of such counselling as may be necessary;

(b) Recognize that inter-country adoption may be considered as an alternative means of child's care, if the child cannot be placed in a foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin;

(c) Ensure that the child concerned by inter-country adoption enjoys safeguards and standards equivalent to those existing in the case of national adoption;

(d) Take all appropriate measures to ensure that, in inter-country adoption, the placement does not result in improper financial gain for those involved in it;

(e) Promote, where appropriate, the objectives of the present article by concluding bilateral or multilateral arrangements or agreements, and endeavour, within this framework, to ensure that the placement of the child in another country is carried out by competent authorities or organs.

#### **Article 22**

1. States Parties shall take appropriate measures to ensure that a child who is seeking refugee status or



who is considered a refugee in accordance with applicable international or domestic law and procedures shall, whether unaccompanied or accompanied by his or her parents or by any other person, receive appropriate protection and humanitarian assistance in the enjoyment of applicable rights set forth in the present Convention and in other international human rights or humanitarian instruments to which the said States are Parties.

2. For this purpose, States Parties shall provide, as they consider appropriate, co-operation in any efforts by the United Nations and other competent intergovernmental organizations or nongovernmental organizations co-operating with the United Nations to protect and assist such a child and to trace the parents or other members of the family of any refugee child in order to obtain information necessary for reunification with his or her family. In cases where no parents or other members of the family can be found, the child shall be accorded the same protection as any other child permanently or temporarily deprived of his or her family environment for any reason, as set forth in the present Convention.

#### **Article 23**

1. States Parties recognize that a mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.

2. States Parties recognize the right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.

3. Recognizing the special needs of a disabled child, assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development

4. States Parties shall promote, in the spirit of international cooperation, the exchange of appropriate information in the field of preventive health care and of medical, psychological and functional treatment of disabled children, including dissemination of and access to information concerning methods of rehabilitation, education and vocational services, with the aim of enabling States Parties to improve their capabilities and skills and to widen their experience in these areas. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 24**

1. States Parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health. States Parties shall strive to ensure that no child is deprived of his or her right of access to such health care services.

2. States Parties shall pursue full implementation of this right and, in particular, shall take appropriate measures:

(a) To diminish infant and child mortality;

(b) To ensure the provision of necessary medical assistance and health care to all children with emphasis on the development of primary health care;

(c) To combat disease and malnutrition, including within the framework of primary health care, through, inter alia, the application of readily available technology and through the provision of adequate nutritious foods and clean drinking-water, taking into consideration the dangers and risks of environmental pollution;

(d) To ensure appropriate pre-natal and post-natal health care for mothers;

(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;

(f) To develop preventive health care, guidance for parents and family planning education and services.

3. States Parties shall take all effective and appropriate measures with a view to abolishing traditional practices prejudicial to the health of children.

4. States Parties undertake to promote and encourage international co-operation with a view to achieving progressively the full realization of the right recognized in the present article. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 25**

States Parties recognize the right of a child who has been placed by the competent authorities for the purposes of care, protection or treatment of his or her physical or mental health, to a periodic review of the treatment provided to the child and all other circumstances relevant to his or her placement.

#### **Article 26**

1. States Parties shall recognize for every child the right to benefit from social security, including social insurance, and shall take the necessary measures to achieve the full realization of this right in accordance with their national law.

2. The benefits should, where appropriate, be granted, taking into account the resources and the circumstances of the child and persons having responsibility for the maintenance of the child, as well as any other consideration relevant to an application for benefits made by or on behalf of the child.

#### **Article 27**

1. States Parties recognize the right of every child to a standard of living adequate for the child's physical, mental, spiritual, moral and social development.

2. The parent(s) or others responsible for the child have the primary responsibility to secure, within their abilities and financial capacities, the conditions of living necessary for the child's development.

3. States Parties, in accordance with national conditions and within their means, shall take appropriate measures to assist parents and others responsible for the child to implement this right and shall in case of need provide material assistance and support programmes, particularly with regard to nutrition, clothing and housing.

4. States Parties shall take all appropriate measures to secure the recovery of maintenance for the child from the parents or other persons having financial responsibility for the child, both within the State Party and from abroad. In particular, where the person having financial responsibility for the child lives in a State different from that of the child, States Parties shall promote the accession to international agreements or the conclusion of such agreements, as well as the making of other appropriate arrangements.

#### **Article 28**

1. States Parties recognize the right of the child to education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:

(a) Make primary education compulsory and available free to all;

(b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;

(c) Make higher education accessible to all on the basis of capacity by every appropriate means;

(d) Make educational and vocational information and guidance available and accessible to all children;

(e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.

2. States Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

3. States Parties shall promote and encourage international cooperation in matters relating to education, in particular with a view to contributing to the elimination of ignorance and illiteracy throughout the world and facilitating access to scientific and technical knowledge and modern teaching methods. In this regard, particular account shall be taken of the needs of developing countries.

#### **Article 29**

1. States Parties agree that the education of the child shall be directed to:

(a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;

(b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;

(c) The development of respect for the child's parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own;

(d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;

(e) The development of respect for the natural environment.

2. No part of the present article or article 28 shall be construed so as to interfere with the liberty of individuals and bodies to establish and direct educational institutions, subject always to the observance of the principle set forth in paragraph 1 of the present article and to the requirements that the education given in such institutions shall conform to such minimum standards as may be laid down by the State.

#### **Article 30**

In those States in which ethnic, religious or linguistic minorities or persons of indigenous origin exist, a child belonging to such a minority or who is indigenous shall not be denied the right, in community with other members of his or her group, to enjoy his or her own culture, to profess and practise his or her own religion, or to use his or her own language.

#### **Article 31**

1. States Parties recognize the right of the child to rest and leisure, to engage in play and recreational activities appropriate to the age of the child and to participate freely in cultural life and the arts.

2. States Parties shall respect and promote the right of the child to participate fully in cultural and artistic life and shall encourage the provision of appropriate and equal opportunities for cultural, artistic, recreational and leisure activity.

#### **Article 32**

1. States Parties recognize the right of the child to be protected from economic exploitation and from performing any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, spiritual, moral or social development.

2. States Parties shall take legislative, administrative, social and educational measures to ensure the implementation of the present article. To this end, and having regard to the relevant provisions of other international instruments, States Parties shall in particular:

(a) Provide for a minimum age or minimum ages for admission to employment;

(b) Provide for appropriate regulation of the hours and conditions of employment;

(c) Provide for appropriate penalties or other sanctions to ensure the effective enforcement of the present article.

**Article 33**

States Parties shall take all appropriate measures, including legislative, administrative, social and educational measures, to protect children from the illicit use of narcotic drugs and psychotropic substances as defined in the relevant international treaties, and to prevent the use of children in the illicit production and trafficking of such substances.

**Article 34**

States Parties undertake to protect the child from all forms of sexual exploitation and sexual abuse. For these purposes, States Parties shall in particular take all appropriate national, bilateral and multilateral measures to prevent:

- (a) The inducement or coercion of a child to engage in any unlawful sexual activity;
- (b) The exploitative use of children in prostitution or other unlawful sexual practices;
- (c) The exploitative use of children in pornographic performances and materials.

**Article 35**

States Parties shall take all appropriate national, bilateral and multilateral measures to prevent the abduction of, the sale of or traffic in children for any purpose or in any form.

**Article 36**

States Parties shall protect the child against all other forms of exploitation prejudicial to any aspects of the child's welfare.

**Article 37**

States Parties shall ensure that:

- (a) No child shall be subjected to torture or other cruel, inhuman or degrading treatment or punishment. Neither capital punishment nor life imprisonment without possibility of release shall be imposed for offences committed by persons below eighteen years of age;
- (b) No child shall be deprived of his or her liberty unlawfully or arbitrarily. The arrest, detention or imprisonment of a child shall be in conformity with the law and shall be used only as a measure of last resort and for the shortest appropriate period of time;
- (c) Every child deprived of liberty shall be treated with humanity and respect for the inherent dignity of the human person, and in a manner which takes into account the needs of persons of his or her age. In particular, every child deprived of liberty shall be separated from adults unless it is considered in the child's best interest not to do so and shall have the right to maintain contact with his or her family through correspondence and visits, save in exceptional circumstances;
- (d) Every child deprived of his or her liberty shall have the right to prompt access to legal and other appropriate assistance, as well as the right to challenge the legality of the deprivation of his or her liberty before a court or other competent, independent and impartial authority, and to a prompt decision on any such action.

**Article 38**

1. States Parties undertake to respect and to ensure respect for rules of international humanitarian law applicable to them in armed conflicts which are relevant to the child.
2. States Parties shall take all feasible measures to ensure that persons who have not attained the age of fifteen years do not take a direct part in hostilities.
3. States Parties shall refrain from recruiting any person who has not attained the age of fifteen years into their armed forces. In recruiting among those persons who have attained the age of fifteen years but who have not attained the age of eighteen years, States Parties shall endeavour to give priority to

those who are oldest.

4. In accordance with their obligations under international humanitarian law to protect the civilian population in armed conflicts, States Parties shall take all feasible measures to ensure protection and care of children who are affected by an armed conflict.

#### **Article 39**

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

#### **Article 40**

1. States Parties recognize the right of every child alleged as, accused of, or recognized as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and which takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society.

2. To this end, and having regard to the relevant provisions of international instruments, States Parties shall, in particular, ensure that:

(a) No child shall be alleged as, be accused of, or recognized as having infringed the penal law by reason of acts or omissions that were not prohibited by national or international law at the time they were committed;

(b) Every child alleged as or accused of having infringed the penal law has at least the following guarantees:

(i) To be presumed innocent until proven guilty according to law;

(ii) To be informed promptly and directly of the charges against him or her, and, if appropriate, through his or her parents or legal guardians, and to have legal or other appropriate assistance in the preparation and presentation of his or her defence;

(iii) To have the matter determined without delay by a competent, independent and impartial authority or judicial body in a fair hearing according to law, in the presence of legal or other appropriate assistance and, unless it is considered not to be in the best interest of the child, in particular, taking into account his or her age or situation, his or her parents or legal guardians;

(iv) Not to be compelled to give testimony or to confess guilt; to examine or have examined adverse witnesses and to obtain the participation and examination of witnesses on his or her behalf under conditions of equality;

(v) If considered to have infringed the penal law, to have this decision and any measures imposed in consequence thereof reviewed by a higher competent, independent and impartial authority or judicial body according to law;

(vi) To have the free assistance of an interpreter if the child cannot understand or speak the language used;

(vii) To have his or her privacy fully respected at all stages of the proceedings.

3. States Parties shall seek to promote the establishment of laws, procedures, authorities and institutions specifically applicable to children alleged as, accused of, or recognized as having infringed the penal law, and, in particular:

(a) The establishment of a minimum age below which children shall be presumed not to have the capacity to infringe the penal law;

(b) Whenever appropriate and desirable, measures for dealing with such children without resorting to judicial proceedings, providing that human rights and legal safeguards are fully respected. 4. A variety of dispositions, such as care, guidance and supervision orders; counselling; probation; foster care; education and vocational training programmes and other alternatives to institutional care shall be available to ensure that children are dealt with in a manner appropriate to their well-being and proportionate both to their circumstances and the offence.

**Article 41**

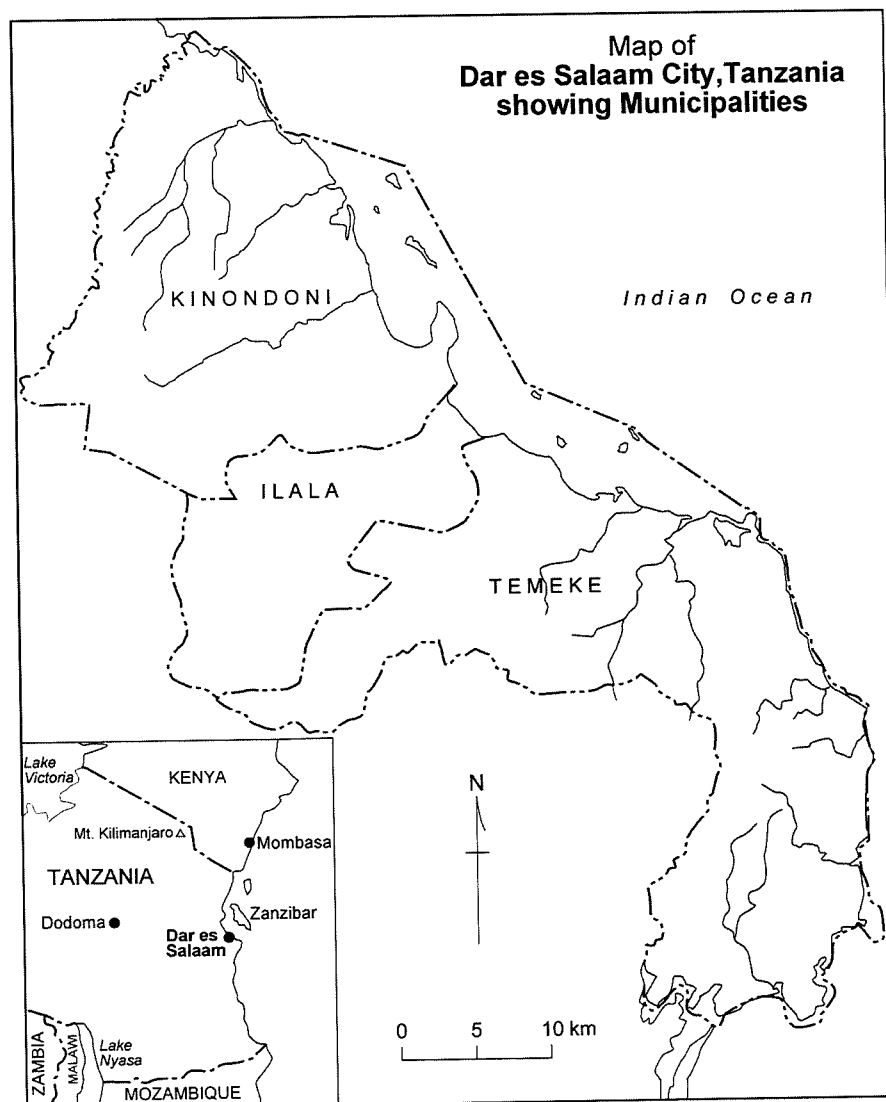
Nothing in the present Convention shall affect any provisions which are more conducive to the realization of the rights of the child and which may be contained in:

- (a) The law of a State party; or
- (b) International law in force for that State.

**Article 42**

States Parties undertake to make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike

## Appendix 2: Map of Tanzania and Dar es Salaam



(source: Kithiia, 2009)

### Appendix 3: Price list of available snacks and other items

Items	Price	
	Amani	Umoja
Food	(TZS per piece unless specified)	
Potato ( <i>kachori</i> )	25	50
Samosa	30	150
Mihogo	25	50
Mango (small)	50	
Coloured drink	50	
Ice candy	50	
Soup (small)	20	N/A
Soup (large)	50	N/A
<i>Uji</i> (small)	N/A	50
<i>Uji</i> (large)	N/A	100
Boiled ice	50	N/A
Potato and meat	N/A	150
Chips	100	600 (outside school)
<i>Chauro</i> (coloured fried rice) per bag	50	
<i>Visheti</i> (kind of biscuit made of flour, sugar and oil)	50	100
<i>Mkate wa kumimina</i> (rice bread)	N/A	100
Doughnut ( <i>andazi</i> )	50-150	
bottled <i>soda</i>	300	
Rice with vegetable (in local restaurants)	850-1300	
Other items		
Notebook	200-300	
Pen	100-300	
Pencil	50-150	
Ruler	200	
Eraser	100-200	
T-shirts	N/A	3,500
Tie	N/A	600
School badge (for shirts)	N/A	500
Shirt (second hand)	500-2500	
Trousers/skirt (second hand)	3000-	
Tuition: 2 hours (2 subjects per day)	4000pcm*	200 pd**
daily speed test (pd)	100	N/A
Monthly exam	600	0
Term exam	0	
weekly exam	500	
Tuition during summer break: 8.00-13.00 (per day)	200	0

\*pcm: per calendar month \*\*pd: per day



#### Appendix 4: Education System in Tanzania

The formal education and training system in Tanzania is:

- 2 years of pre-primary education
- 7 years of primary education (Standard 1-7)
- 4 years of secondary ordinary level (Form 1-4)
- 2 years of secondary advanced level (Form 5-6)
- and a minimum of 3 years of university education.

The official school attending age-ranges are:

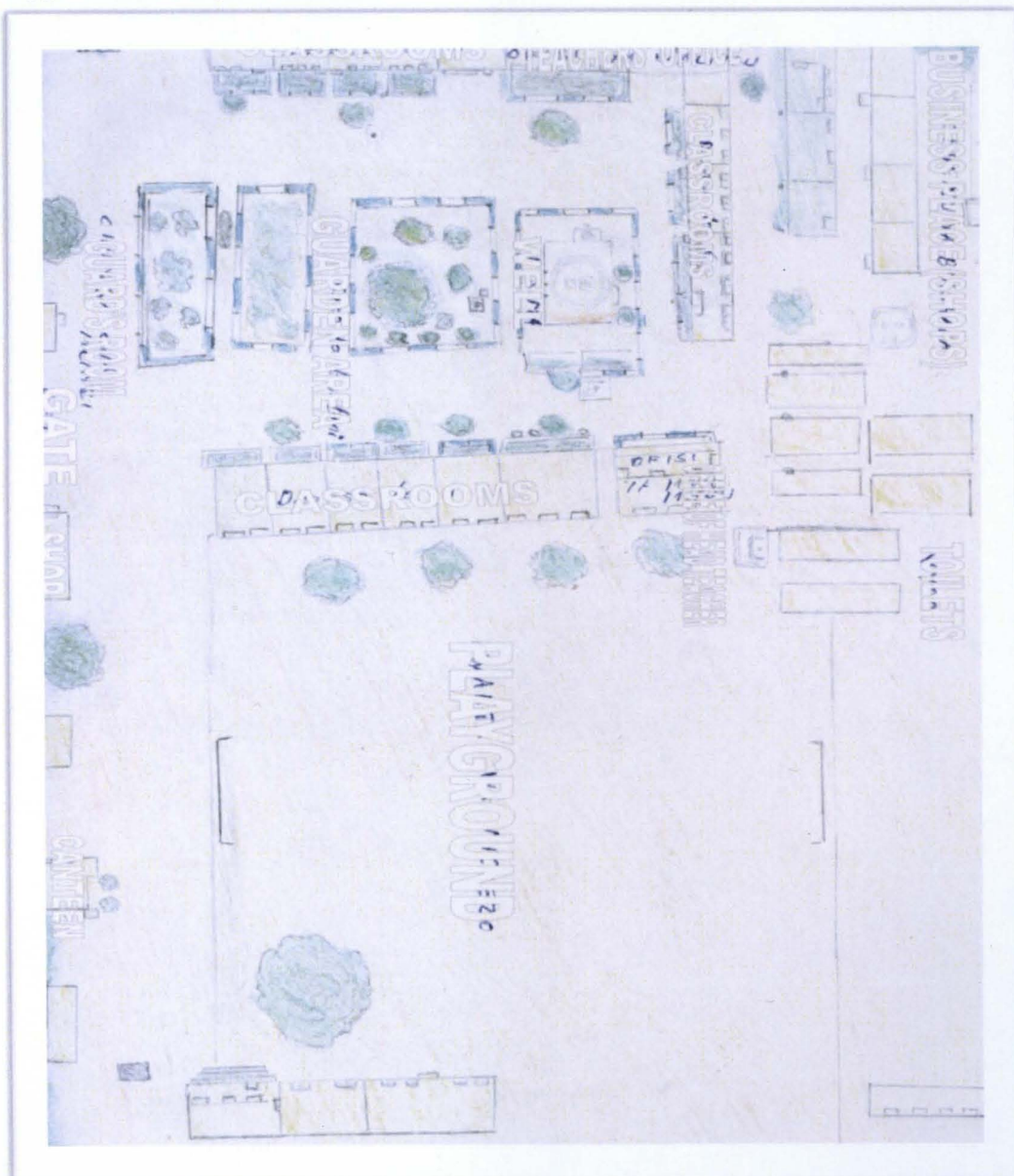
- 5-6 for pre-primary
- 7-13 for primary
- 14-17 for lower secondary
- 18-19 for upper secondary

#### Appendix 5: Ilala municipal council basic socio-economic profile

Total population	634,924
Male	50.5%
Female	49.5%
Transient population (temporarily abandoned their hosue)	over 300,000
HIV prevalence rate (among blood donors)	15%
Orphans	22,565
% below the basic need porverty line	18%
% below the food poverty	7.5%
Unemployment rate	40.5%
Adult literacy rate	92%

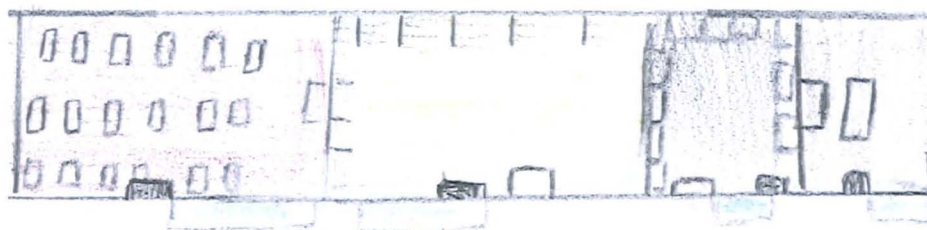
(Adopted from UNDP and Ilala Municipal Council 2004)

## Appendix 6: Map of Amani School



(Drawing: Musa, age 15, Amani school)

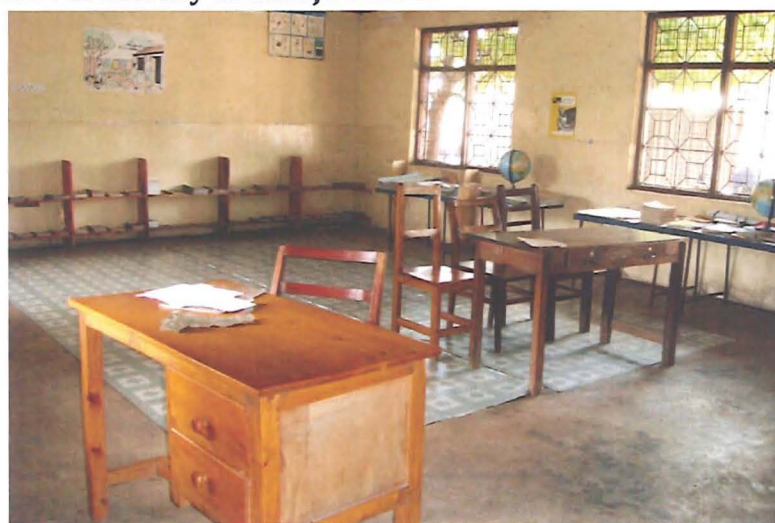
### Appendix 7a: Room arrangements of Umoja School



From left: Classroom, library (see below), teachers' office, head teacher's office

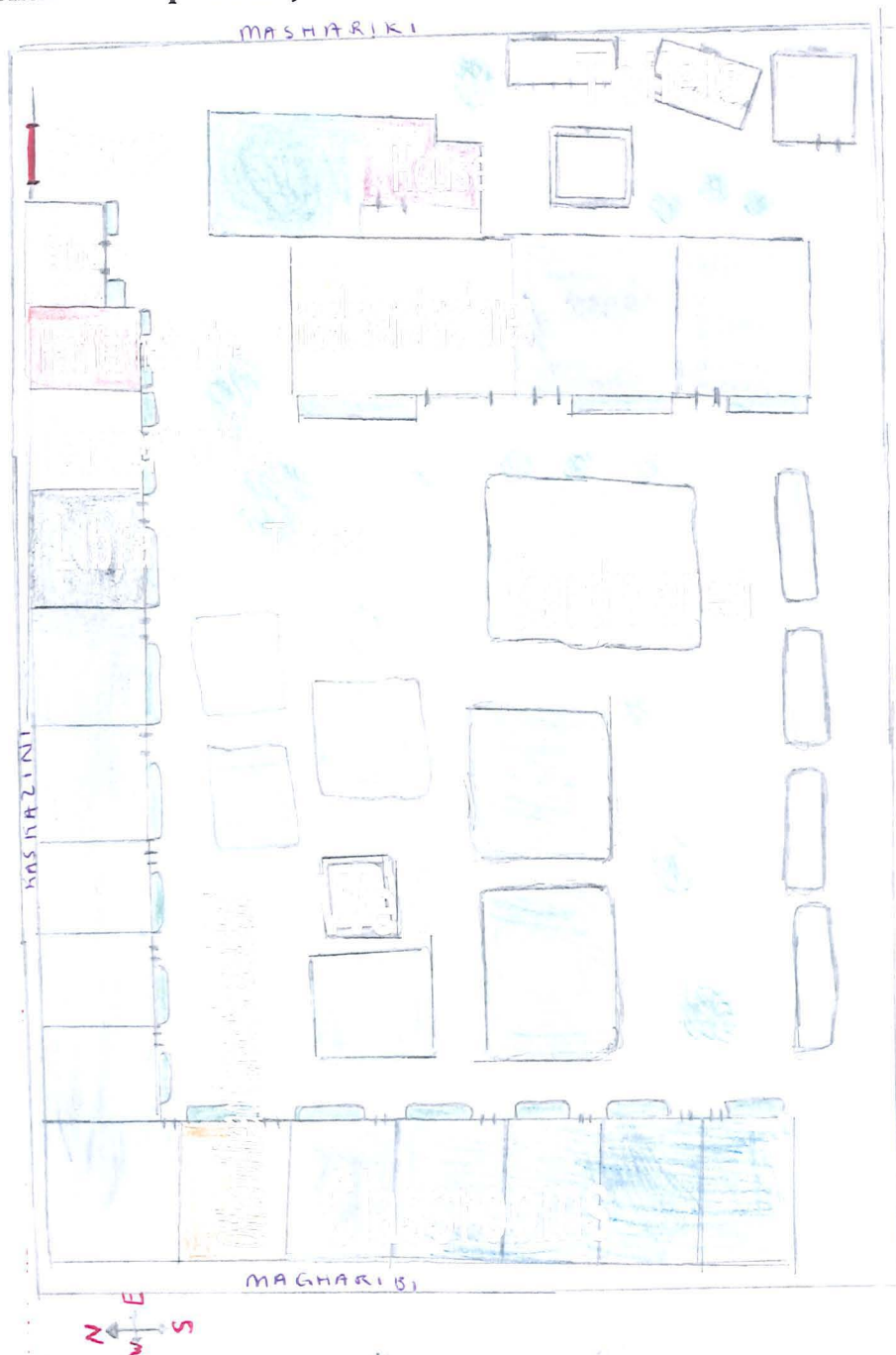
*(Drawing: Anna, age 13, Umoja)*

### Appendix 7b: Library of Umoja School



The desks are mainly used by teachers, and the library is usually locked up.

## Appendix 8a: Map of Umoja School



(Drawing: Nassoro, age 14, Umoja )

#### Appendix 8b: Water well (Umoja School)



*Students collecting water for cleaning*

#### Appendix 9: Number of schools in each council in Dar

Municipal	Government Schools	Non-government Schools	Total
Ilala	100	25	125
Kinondoni	127	55	182
Temeke	100	8	108
Total	327	88	414

*(Personal communication – District Officer, October 2007)*



**Appendix 10a: Buguruni Street 1**



**Appendix 10b: Buguruni Street 2**



**Appendix 10c: Buguruni Street 3**



## Appendix 11: School timetable

<b>Amani and Umoja timetable (Standard 6/7)</b>		
	<b>Amani</b>	<b>Umoja</b>
<b>Usafi (cleaning)</b>	7.00-7.30	
<b>Mistari (morning assembly)</b>	7.30-8.00	
<b>1st lesson</b>	8.00-8.40	
<b>2nd lesson</b>	8.40-9.20	
<b>3rd lesson</b>	9.20-10.00	
<b>4th lesson</b>	10.00-10.40	
<b>Break</b>	10.40-11.20	10.40-11.10
<b>5th lesson</b>	11.20-12.00	11.10-11.50
<b>6th lesson</b>	12.00-12.40	11.50-12.30
<b>7th lesson</b>	12.40-13.20	12.30-13.20
<b>8th lesson</b>		13.20-14.00
<b>Afternoon Classes for standard 3, 4 and 5</b>	40 minutes lessons*6	n/a
<b>Tuition</b>	14.00-	14.00-

## Appendix 12: Standard 7 national examination results (2003-2007)

### Amani

Year	Number of pupils sat exam	Passed exam		Accepted by secondary schools	
2003	272	48	18%	11	4%
2004	278	72	26%	5	2%
2005	307	92	30%	54	18%
2006	320	162	51%	6	2%
2007	353	185	52%	135	38%

### Umoja

Year	Number of pupils sat exam	Passed exam		Accepted by secondary schools	
2003	105	97	92%	36	34%
2004	100	90	90%	46	46%
2005	90	89	99%	88	98%
2006	83	82	99%	61	73%
2007	114	111	97%	111	97%

### Appendix 13a: Consent form (students and parents) (Swahili)

Revised version of confirmation of participation sent to pupils and parents/guardians (13a) and teachers (13b)

<b>Unafikiri nini juu ya kanuni za shule?</b>	
<b>Jina la Mzazi au Mlezi</b>	<b>Jina la Mwanafunzi</b>
<p>Nimesoma Maelezo ya Ukulasa na nimeelewa inahusu nini. Nimeelewa kwamba Utatumia data zilizopo hapa juu katika tasnifu yako, au machapisho</p>	
<b><u>Mwanafunzi na Mzazi au Mlezi</u></b>	
Nitapiga picha	Ndiyo / Hapana
Nitaandika kumbukumbu	Ndiyo / Hapana
Nitashiriki mahojiano.	Ndiyo / Hapana
Nitashiriki kwenye kazi za makundi (Focus Group)	Ndiyo / Hapana
<b><u>Mzazi au Mlezi tu</u></b>	
*Nitashiriki mahojiano.	Ndiyo / Hapana
*Nitawasiliana na mzazi/mlezi ambaye atapenda kushiriki katika mahojiano.	

### Appendix 13b: Consent form (teachers) (Swahili)

<b>Unafikiri nini juu ya kanuni za shule?</b>	
<b>Jina la Mwalimu</b>	<b>Umri</b>
<p>Nimesoma Maelezo ya Ukurasa na nimeelewa inahusu nini. Nimeelewa kwamba Utatumia data zilizopo hapa juu katika tasnifu yako, au machapisho</p>	
<b><u>Mwalimu</u></b>	
Nitashiriki mahojiano	Ndiyo / Hapana
<p>*Mahojiano haya yatachukua kwa dakika kati ya 60 na dakika 80. Tafadhali uchague saa na tarehe 2 ungependa kuwa na mahojiano kati ya tarehe 30-31 January na 4-8 February. Ili kama itashindikana na mwalimu mwingine, tufanye mahojiano na wewe saa moja kati ya zile saa mbili. Tafadhali ninaomba nirudishe fomu hii baada ya kuisoma na kujaza kabla ya 28 January (Ijumaa).</p>	
<b><u>Saa/Tarehe/Mwezi</u></b>	



#### Appendix 14: Details of student participants cited in the thesis

Name	Age Dec 2007	School	Sex	Live with parent (s)	Tuition	Electricity at home	Water at home (tap or well)	School snack/ lunch over TZS 150* per day (average)	Distance to school (within 30 minutes to school by foot)
Abdul	11	Umoja	M		√				
Brandon	13	Umoja	M	√	√			√	√
Chris	14	Umoja	M	√	√	√			
Editha	15	Umoja	F		√				
Elena	13	Umoja	F		√	√			
Esther	13	Umoja	F		√	√		√	√
Fikiri	13	Umoja	M	√	√	√	√		
Furaha	15	Amani	F	√		√			√
George	13	Umoja	M		√	√		√	
Hassani	13	Umoja	M	√	√	n/a	n/a	n/a	n/a
Ibrahim	14	Amani	M	√					√
Khadija	13	Amani	F	√	√	√			
Maria	12	Amani	F	√	√	√			√
Mohamed	16	Amani	M	√	√			√	√
Musa	12	Amani	M	√	√				
Omar	17	Umoja	M		√	√	√		
Paul	12	Umoja	M	√	√	√	√	√	
Saida	14	Amani	F	√					√
Shabani	14	Umoja	M	√	√	√		√	
Talib	11	Amani	M						√
Tatu	14	Umoja	F		√	√		√	
Upendo	12	Umoja	F	√	√	√	√		
Yahaya	15	Umoja	M		√	√		√	
Zaina	14	Amani	F		√				√
Zuwena	14	Amani	F	√		√			

\*Minimum cost of mid-day break snack I had to spend to feel a bit full (see Appendix 3)

## Appendix 15: Sample interview schedule (students) (English)

Interview Schedule for young people\_Dar

(in school)

If I find any participants being distressed, I will avoid continuing with topics that they seem uneasy talking about, and let them know that they can withdraw.

If the participant still wants to continue, I will talk only to interview pairs or small groups who are already friends who are likely to support one another.

### Introduction

1. Hello. My name is Tamaki. What is your name? I would like to learn about ideas and methods of discipline. Can you help me by talking about your experiences in school and at home?
2. Do you mind if I record our conversation today?
3. Please let me know, if you don't want to answer some questions, or if you want to have a break. Also, if some questions aren't very clear, please tell me to explain them in more detail.

### Behaviours

4. Can you tell me about good and bad examples of behaviour at school?
5. How common (or rare) are they?
6. Are there rewards for good behaviours and punishments for bad behaviour?
7. What are the punishments and rewards?
8. How do you feel when you are punished/ rewarded?
9. Do you think that they work well?
10. How do you describe your behaviour at school/ at home?

### Rules in school

11. Can you tell me examples of rules in school?
12. Can you tell me who sets the rules?
13. Can you tell me who helps with keeping rules in schools (e.g. on anti-bullying, conflict resolution)?
14. Do students take part in these activities?
15. Are there any students or teachers who believe in corporal punishment?
16. Do you think that punishment helps children/ young people to learn rules? –why?

### Discipline at home

Now can we talk about discipline at home?

17. What do your parents or other family members usually do when they think that you are misbehaving?
18. Can you tell me how good behaviour is encouraged and rewarded at home? (What do your parents or other family members do when you behave well?)
19. What sort of things do you think your parents or other family members expect from you?
20. Do you feel that the rules at home are too relaxed or too strict?
21. Is there anything that you might want to change about how you are disciplined or taught to learn manners at home?

### Adult-young person relationship

22. How would you describe your relationship with your teacher? Parents? Other adults you spend time with?
23. Do you talk to them a lot?
24. Do you think that they listen to you? Do they listen to other young people enough?
25. Do you think that you listen to them?
26. Is there anything you might want to change about your relationship to adults? What? Why? How?
27. Do you think that adults are different from people of your age? What sort of things makes adults different from you as a young-person? (not in terms of job or marriage, but in terms of other things like level of respect/ behaviour) Why?
28. Do you think that the relationship with adults has changed compared to when you were a bit younger?
29. How do you think that influences your behaviour and rights?

**Teacher-Parent (Adult-Adult) Relationship**

- 30. How do you think that adults treat each other?
- 31. Do your parents/ family members and your teacher contact each other?
- 32. What do you think about them talking about you?

We've talked about a lot of topics during this interview

Is there anything else you would like to tell me about your experience in school or at home?

Is there anything you would like to ask me about my research or my views on punishment?

Thank you very much for your help. I really appreciate you taking the time out.

### Appendix 16: Example of interview transcript (Focus group B Session 3)

Date: December 2007				
Where: At home (outside the entrance door. It was a sunny day.)				
Interviewees: Chris, GeorgeHassani, Shabani, and Omar. Oliver could not come.				
Time	Name	Swahili	English	Notes
(From page 28 of 33)				
47.18	TY	... ugomvi na kupigwa fimbo kwa ajili ya adhabu, zinatofautiana vipi?	...[do] violence and caning for the sake of punishment differ?	
47.58	Hasani	...hakuna tofauti.	there is no difference.	
47.59	TY	Hakuna tofauti.	There is no difference.	
47.59	Hasani	hmmm...	hmmm...	Thinking
48.02	TY	Wengine? George?s	Others? George?	
48.06	George	Tofauti hamna...kwa sababu kupigwa fimbo hii inamadhara.	There is no difference ... because caning does harms.	
48.10	TY	Hata... mara 1?	Even...once?	I asked because the students said that fimbo mara moja is a usual thing.
48.13	George	Kuchapwa fimbo mara 1? (Me: eeh) Tofauti yake na ugomvi? (Me: hamna tofauti??) Mara 1? Tofauti.... Mara 1 ile... maumivu unapata...sema... yaani...siyo sana. Siyo kama unaumia sana...	To be hit once? (Me: yeah.) Difference with violence? (Me:[are there] any differences?) Once? Difference... that once... you do get hurt...I say...I mean... but not much. But it's not like you get really hurt...	
48.47	Chris	Sawa.	Ok.	
48.48	TY	Sawa?	Ok?	
48.48	Chris	Hmmm.	Hmmm	Confirming
48.49	TY	Omar	Omar	
48.50	Omar	Hmmm?	Hmmm?	Thinking
48.51	TY	Unafikiri kwamba hizo ni sawa au tofauti?	Do you think that they are the same or different?	
48.56	Omar	Mi naona sawa.	I think they are the same.	
49.00	TY	So why unakubali mara 1?	So why do you accept (being hit) once?	But reject other forms of violence.
49.07	Chris	Kwa sababu...watoto...inatofauti fulani na mara 1...	Because...children...there is a certain difference between once...	
49.11	TY	Ni tofauti ya aina gani?	What sort of difference?	
49.14	Hasani	Tofauti ya kupigwa mara 1?	Difference between being caned once?	
49.17	TY	na ugomvi.	and violence.	
49.17	Hasani	ugomvi	violence	
49.18	Chris	Tofauti ya kupiga mara 1 na ugomvi	Difference between being hit once and violence	Chris explains to Hassani
49.23	Hasani	Adhabu na ugomvi...?	Punishments and violence?	
49.27	Chris			Chris explains to Hassani again.

59.30	Has sani	Tofauti ya adhabu na ugomvi?	Difference between punishments and violence?	
49.32	TY	Adhabu ya kupigwa mara 1 na ugomvi... zinatofautiana vipi?	A punishment of being hit once and violence...how do they differ?	
49.41	Has sani	aah.. Sasa unakuta ugomvi yaani kwa mfano mwanafunzi wanapigana. Kwa mfano.. wanafunzi wanaona pigana. Sasa mwalimu mfana akija akikuta watu wanapigana. Wale wale anawatoa (adhabu) (mwalimu anawatoa) wanaopiga. Anaweza akapiga.	aah... now you find violence I mean for example students are fighting. For example... they are fighting, and now a teacher comes around and finds them fighting. S/he would punish those who are fighting. S/he can hit [children].	
50.00	TY	Oliver anasema wanapopigana wanapewa adhabu...jinsi gani mnafikiri kwamba kupiga mtu inawasaidia watu waache kupigana?	Oliver says that when people fight/hit each other they are punished [for it]... how do you think that hitting can help them to stop hitting each other?	Oliver did not come to the 2 <sup>nd</sup> and 3 <sup>rd</sup> session: I thought he lives with his parents as he wrote his father's name on the paper he returned to confirm his participation, but a pupil told me that he lives with his aunt as his father passed away, and had trouble finding fares to come to school.
50.23	Has sani	Kumpiga mtu..?	To hit someone...?	
50.26	TY	...Wanaacha...wanaacha kupigana kwa sababu wanapigwa....	They stop...they stop hitting each other because they were hit by [a teacher]...	
50.30	Sha bani	Nanii...Mwalimu kwanza.. mwalimu akishafika...pale kwenye ugomvi...yule...eh? Kuna watu wanapopigana. Yeye anachukua wale watu anawachapa. Kwanza hajui chanzo (sababu ya kupigana) haulizi chanzo...kwa hiyo inaathiri watoto. Mpaka...lazima ajue chanzo kwanza. Lakini...akifika pale anawachapa tu. Lazima...yaani...mwalimu anakosea sana.	Erm...a teacher first...a teacher arrives at the place where they are fighting...right? There are people who are fighting. S/he [the teacher] picks up those [who are fighting] and hits them. First, s/he [the teacher] doesn't know the cause [of the fight] s/he doesn't ask why...so it affects children. Until...s/he should understand the cause first. But ...when s/he gets there s/he just hits them. No wonder... I mean...s/he (teacher) makes (this) mistake a lot.	

50.56	TY	I asked what chanzo means		
51.05	Sha bani	eeh... Lazima kwanza ajue chanzo. Ndiyo awapige wale watoto.	yeah... it's necessary to know the reason first, and then s/he should hit those children.	
51.09	TY	Eh? Lakini unafikiri...kupiga watoto inasaidia waache kupigana?	Eh? But you think...hitting children helps children to stop hitting/fighting?	I said so because I see many prefects walking with their own sticks and using the sticks to make their peers shut up...just like teachers do...
51.19	Has sani	Kupiga insaidia sema...sema sasa... wengine wanazidisha kupiga yaani...Yaani kupiga inwasaidia lakini wengine wanazidisha nini.. kupiga (Chris: wanazidisha kuchapa) ...wanazidisha kuchapa...	Hitting helps...I say...I say... now some hit too many times I mean...I mean... hitting helps but some do it excessively...what...hitting (Chris: they beat up too much)... they beat up too much..	Not sure about the difference between kuchapa and kupiga
51.53	TY	Kwa hiyo nilisema kwamba kila kitu kilichoandikwa kwenye kadi hizi zote ni kuhusu haki za watoto.... Inawezekana... (...recording unclear) Kwa kupunguza au kufuta adhabu...unafikiri kwamba haki za aina gani zitalindwa?	So I said that everything that's written on the cards is about children's rights.... It can be (...recording unclear)  By reducing or banning [corporal] punishments what sort of rights do you think will be protected?	some wrote about rights and I wanted them to think about what sort of rights could be protected as they talked a lot about rights when we were sorting out the cards in session 2.
53.14	Has sani	...kupunguza adhabu...Kwanza hizi za kufanya mazoezi hizi zikifutwe yaani... (Chris: watoto hawatakuwa watoro yaani... watoto hawatakuwa watoro yaani...yaani... [wanafunzi] watakuwa wengi shule wanawadhiliwa kufika) Kwa sababu wanajua adhabu za kufanyishwa mazoezi zimefutwa. Kwa sababu wanajua nikifanya kosa ninaweza kupigwa hata fimbo...	...reducing punishments... First these of doing exercises should be banned I mean...(Chris: children wouldn't be truants [if it was banned] I mean... Children wouldn't be truants) I mean...many are humiliated in schools) Because they know that punishments of doing exercises are banned. Because if I make a mistake I can be hit even by canes...	
53.42	Sha bani	Maendeleo yatakuwa mazuri	Developments [*] will be good.	*I think he means school results
53.43	Has sani	nnh...maendeleo yatakuwa mazuri kwa sababu unakuta watoto wengine... yaani, yaani hata kupunguza adhabu vipi lakini hawaji shule...	nnh...Development will be good [it will be good for children's development] because you find some children...I mean...I	

			mean...even reducing punishment...but they don't come to school...	
53.57	TY	So...haki ya watoto...ya kupata elimu yatalindwa?	So ...will children's rights...to have access to education be protected?	
54.07	Hasani	Nnh...atakuwa ameokolewa kwa sababu atasikia...adhabu zimefutwa...ya kufanyshwa mazoezi...	Nnh...[agreeing] s/he will be rescued, because s/he will hear...punishments to do exercises are banned...	
54.13	Me	Hamna kitu kingine? (*) Unafikiri kwamba haki yako haijaitimizwa kwa kupigwa au kuruka kichurachura?	Any other things?  Do you think that your rights are not protected for being hit or being made to do kichurachura?	*I then talked about what I thought about corporal punishment...
55.35	Hasani	Haki...	Rights...	
		(We were silent for a while, and all of us were quite tired, so I decided to finish the interview)		
58.37	TY	Swali la mwisho...Unaposema watoto ni taifa la kesho, inamaanisha mambo gani?	The last question...When you say children are tomorrow's nation, what sort of things do you mean by it?	
59.23	Chris	Yaani tunaposema watoto ni taifa la kesho, inamaanisha watoto watakuwa maraisi, watakuwa mawaziri, wa viongozi wa baadaye, watakuwa wabunge hiyo maana tunasema watoto ni taifa la kesho.	I mean when we say children are tomorrow's nation, it means that children will be prime ministers, of leaders of later [future], they will be MPs. That's what we mean by children are tomorrow's nation.	
59.37	Shabani	Tunaposema watoto ni taifa la kesho, maana yake yaani...sisi sasa hivi tunategemewa na someshwa, na tegemewa na wazazi wetu. Wazazi wetu wote wanategemewa sisi sasa hivi. Tusome ili baadaye wao wakati ambao watakuwa wazee yaani.. wakati hawajiwezi sisi tuwasaidie.	When we say children are tomorrow's nation, it means I mean...we are now like we are expected/relied on and being educated, and expected (to do something?) by our parents. We rely on our parents. We should study so that later they...when they are old I mean...when they need help, we should help them.	
60.05	George	Sema...kwa hiyo wazazi wetu wanatusomesha sisi ili baadaye tuweze kuinua uchumi wa Tanzania. Au komboa maisha yetu ya baadaye.	I say...therefore our parents educate us. So that later we can lift up the economy of Tanzania...or to save our lives later.	
		They were silent. As we were all tired. I said to them that I was going to serve them lunch that I had cooked, and I left out 2 more questions I was going to ask.		

## Appendix 17a: Sample Information leaflet (Swahili)

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Simu: xxxxxxx

### Unafikiri nini juu ya kanuni za shule?

Masomo ya vijana wanaosoma mwaka wa sita in Dar es Salaam, Tanzania -2007/08

Huu ni ukurasa ambao umeandikwa kwa watu wanaotaka kujua au kunisaidia kufanya utafiti wangu.

Tafadhali niasidie kwenye utafiti wangu

Jina langu ni Tamaki. Nimetokea Japani lakini sasa hivi ninachukua Ph.D. katika chuo kikuu cha London. Ukurasa huu unaeleza baadhi ya vipengele kuhusu utafiti wangu. Ninapenda kujua juu ya kanuni na mwenendo wa shuleni na nyumbani, na jinsi unavyojisikia kuhusu mambo haya. Ikiwa unamaswali au maoni kuhusu utafiti huu, tafadhali niulize swali au wasiliana nami.

#### Madhumuni/shabaha za utafiti

- Kujua vijana na watu wazima wanafikiriaje kuhusu kanuni na mwenendo.
- Kujua jinsi gani shule inahamasisha mienendo myema na kujaribu kuzuia mienendo mibaya.
- Kujua juu ya adhabu zote (hasa ya viboko) shuleni na nyumbani.
- Kujua vijana na watu wazima wanafikiriaje kuhusu mambo haya.

Ninatumaini kwamba utashiriki katika utafiti na utaona ni wakusisimua. Ingawaje matokeo ya utafiti huu hayatabadili maisha yako ya kawaida ya nyumbani na shuleni lakini natumaini utakufanya ufikiri zaidi. Nia yangu ni kuchangia ujuzi juu ya nidhau shuleni.

#### Nini kitatokea?

Ninataka kuona yanayotokea na kujua mnayofanya/wanayofanya shuleni na nyumbani kwa ujumla na kuandika kumbukumbu mpaka mwezi wa pili 2008.

Katika muda huu, yafuatayo pia yatatokea:

- Kutayarisha/kuunda makundi madogo ya majadiliano ya vijana.
- Kufanya mahojiano ya ana kwa ana na watu binafsi kama wanafunzi, walimu na wazazi.
- Michoro, picha na kumbukumbu (shajara).

Hulazimishwi kushiriki katika utafiti huu. Hata kama ukiamua kutoshiriki unaweza ukaacha wakati wowote na hakutakuwa na tatizo lolote. Unaweza kuzungumza na rafiki zako, walimu na familia yako kabla ya kuamua. Iwapo hutaki kujibu baadhi ya maswali unaweza kuniambia. Nitathamini mapendekezo yako (/maoni yako) kuhusu jinsi ninavyoendesha utafiti wangu. Nitarekodi mahojiano na majadiliano ya vikundi.

**Data zote** zenye majina ya watu au ya shule zitakuwa ni siri. Hakuna yeyote atakayejua vyanzo vyangu vya taarifa isipokuwa msimamizi wangu, mkalimani na mimi. Nitaweka taarifa na majina yote katika sehemu salama na taarifa zako hazitawekwa baada ya utafiti wangu kwisha (hakuna majina halisi yatakayotumiwa katika tasnifu/insha yangu).

**Asante sana kwa kusoma ukurasa huu.**



## Appendix 17b: Sample Information leaflet (English)

Researcher: Tamaki Yoshida  
Social Science Research Unit  
Institute of Education  
University of London  
Email: [tyoshida@ioe.ac.uk](mailto:tyoshida@ioe.ac.uk)  
Telephone: xxxxxx

### What do you think about rules in school?

(A study of young people in year 5 attending two schools in Dar 2007)

This leaflet is written for anyone who would like to know about the research, or to help with it.

Please will you help me with my research?

This leaflet gives some details about my study. It is about rules and behaviours in school and at home, and how you feel about them. If you have any questions or request concerning the research, please contact me.

### Aims of the study:

To find out what young people and adults think about rules about behaviour; To find out how schools promote positive behaviour and try to stop poor behaviour; To find out about the use of corporal punishment in school and at home, and to find out what adults and young people think about them.

I hope that you will take the time to help me by taking part in my study, and that you find it interesting. This will not directly affect your day-to-day life at schools or at home, but may make you think about it more.

### What happens?

- I would like to see what happens in a classroom and in school and make some notes for about 5 months

During the period, I also would like to:

- Organise group discussions in small groups; and
- Do face-to-face interviews (individually or in pairs) with students, teachers and your adult family members.
- Drawings and diaries;
- A small number of students who wishes to help me as researchers will be sought.

-You do not have to take part in this research. Even if you do decide to take part, you can withdraw at any time and you will not get into trouble.

-You can talk to your friends, teachers or family members before you decide.

-If you don't want to answer some questions, you can say so

-Your suggestions about the way I do this research/learning about your views will be appreciated.

-I would like to make audio recordings during interviews and group discussions.

**All data** containing names of people or of schools will be treated as anonymous and strictly confidential. No one apart from my supervisor and me will know about the source. I will keep research notes and audio files in a safe storage space, and your details will not be kept after my research finishes. (No actual names will be used in my thesis)

**Thank you for reading this leaflet.**

## Unafikiri nini juu ya kanuni za shule?

Masomo ya vijana wanaosoma darasa la sita/saba hapa Dar es  
Salaam, Tanzania -2007/08

Repoti fupi kwa wote waliosaidia na utafiti huu

Mtafiti: Tamaki Yoshida  
Social Science Research Unit,  
Institute of Education,  
University of London  
E-mail: [tyoshida@ioe.ac.uk](mailto:tyoshida@ioe.ac.uk)

### Asante

- kwa wanafunzi, walimu na familia zao walioshiriki kwenye utafiti huu,
- kwa wote waliochangia simulizi za maisha yao ya kawaida ya nyumbani na shuleni,
- kwa walimu na wengine waliosaidia kupata ruhusa ya kuingia mashuleni,
- na kwa watu wengine waliosaidia na utafiti huu kwa njia nyingine.

## Kujua maoni yenu

Watu wengi wameshiriki kwenye utafiti wangu.  
Wanafunzi 227 kutoka shule 2 ambao wana miaka kati ya 11 na 18 wamenisaidia kufanya:

- Mahojiano ya ana-kwa-ana;
- Mahojiano ya kikundi;
- Kuandika diary;
- Kupiga picha;
- Kuchora; na
- Kushiriki kwenye dodoso.

Nimewahoji baadhi ya wazazi na walimu wa hawa wanafunzi. Nimepata msaada kutoka watu wa Manispaa ya Ilala, Mkoa wa Dar es Salaam, na wafanya kazi wa Wizara ya Elimu na Ufundi, National Bureau of Statistics, na Chuo kikuu cha Dar es Salaam.

Watu wengi wametumia muda wao kwa ajiri ya mahojiano na shughuli nyingine. Kila mtu aliyeshiriki amejitahidi sana na matokeo haya yamenisaidia kujua mambo mengi sikuweza kujua bila misaada ya watu wote.

Nimetembelea mashule kwa zaidi ya miezi mitano. Mashule haya yalikuwa ni mashule ya senkari katika Wilaya ya Ilala.  
Katika mashule haya, nimechagua mikondo mitatu.

Shule	Amani		Hekima	
Darasa la VI/VII	C (Was na Wav)		A (Was)	B (Wav)
Wanafunzi	112		55	60
Wanafunzi waliorudisha participation slip (2007)	Was	Wav	44	42
	39	27		
Mahojiano ya kikundi	8		8	5
Mahojiano	3	3	4	4
Diary	7	5	6	6
Picha	5	5	6	7
Michoro	4	4	6	7
Namba za wanafunzi wamenirudishia dodoso III	50/39	54/46	54/54	57/54
Walimu (mahojiano)	8		10 (9 mahojiano)	
Wazazi/walezi (mahojiano)	5		3	3

## Shabaha za utafiti

- Kujua vijana na watu wazima wanafikiriaje kuhusu kanuni na mwenendo.
- Kujua jinsi gani inahamasisha mienendo myema na kujanbu kuzuia mienendo mibaya.
- Kujua juu ya adhabu zote (hasa ya viboko) shuleni na nyumbani.
- Kujua vijana na watu wazima wanafikiriaje kuhusu mambo haya.

### Halafu kutoa repoti kuhusu maoni yenu:

Sijawaambia matokeo ya mahojiano na utafiti kwa watu wengine zaidi ya taarifa niliyoandika. Katika taarifa hii nimebadilisha majina ya watu wote kama nilivyosema mwanzo wa utafiti huu. Baada ya kamaliza masomo yangu, ningependa kuandika taarifa nyingine ambazo zitapelekwa zaidi ya chuo kikuu cha London (kwa mfano: serikali ya Tanzania na shule zake.)

### Nimejifunza nini?

- Kwamba watu wana maoni na sababu ambazo zinatofautiana sana, na wanafikiri kwamba
- Kanuni za shule na adhabu hazisaidii kila mara.
- Kwamba wengi (wanafunzi, walimu na wazazi au walezi) wanafikiri kwamba adhabu ya vivoko inasaidia kupata adabu.
- Kwamba kuna jinsi nyingi ambayo inawasaidia wanafunzi wapate tabia njema.
- Kwamba kubadilisha shema tu haisaidii na kuna vitu vingi ambavyo vinatakiwa kubadilishwa ili watu wajirekebisha tabia za kutumia adhabu ambazo si nzuri kwa afya ya watu wote.
- Kwamba watu walioshiriki wana heshima kubwa kwa watu wote na mara nyingi jinsi wanavyoonyesha heshima si sawa n anchi nyingine nilizokaa.

Tafadhali naomba nijue kama kuna kitu chochote ambacho ungependa kujua zaidi ya hiki

**Appendix 19: Tanzania primary school transition rates (2002-2008):  
national data**

Transition Rates	2002/2003	2003/2004	2004/2005	2005/2006	2006/2007	2007/2008
<b>Standard 1-2</b>	%					
Promotion rate(PR)	87.3	89.4	88.5	88.3	89.6	88.8
Repetition rate(RR)	7.2	9.6	9.1	10.6	7.1	9.7
Dropout rate (DR)	5.5	2.0	2.4	1.1	3.3	1.6
<b>Standard 2-3</b>						
PR	89.0	91.1	90.8	92.2	92.9	93.5
RR	5.8	5.0	6.2	6.2	5.6	5.5
DR	5.3	3.9	3.0	1.7	1.5	1.0
<b>Standard 3-4</b>						
PR	89.3	93.6	92.6	92.0	94.0	92.9
RR	5.9	4.8	5.0	5.1	4.2	5.4
DR	4.8	2.6	2.4	3.0	1.8	1.7
<b>Standard 4-5</b>						
PR	76.7	83.7	78.7	81.7	83.4	84.7
RR	12.3	11.3	14.7	10.9	9.4	8.3
DR	3.0	5.0	6.6	7.4	7.2	7.5
<b>Standard 5-6</b>						
PR	95.8	95.3	96.4	97.8	98.5	96.2
RR	0.9	0.7	0.3	0.2	0.1	0.4
DR	3.3	4.1	3.3	2.0	1.4	3.4
<b>Standard 6-7</b>						
PR	92.1	94.5	97.1	95.0	96.2	96.5
RR	1.5	0.7	0.1	0.0	0.1	0.3
DR	6.4	4.8	2.8	4.9	3.7	3.2
<b>Average</b>						
PR	88.4	91.2	90.7	91.2	92.4	92.1
RR	5.6	5.3	5.9	5.5	4.4	4.9
DR	4.7	3.8	3.4	3.4	3.2	3.1

(Source: NBS, 2007b; 2008a)

## **Appendix 20: The aims and objectives of primary education, URT, 1995**

- to enable every child to understand and appreciate his or her human person, to acquire, value, respect and enrich our common cultural background and moral values, social customs and traditions as well as national unity, identity, ethic and pride;
- to provide opportunity and enable every child to acquire, appreciate and effectively use Kiswahili and to respect the language as a symbol of national unity, identity and pride;
- to enable every child to understand the fundamentals of the National constitution as well as the enshrined human and civic rights, obligations and responsibilities of every citizen;
- to enable every child to acquire basic learning tools of literacy, communication, numeracy and problem solving as well as basic learning content of integrated relevant knowledge, skills and attitudes needed for survival and development to full capacity;
- to provide the child with the foundations of self-initiative, self-advancement and self-confidence;
- to prepare the child for second level education (i.e secondary, vocational, technical and continuing education);
- to prepare the child to enter the world of work (URT, 1995: 5).

## Appendix 21: Field note extracts

5 November (Amani): Just before 11.20am two female pupils came into the teachers' room. One of them was being told off for stealing from the other pupil. Another three teachers joined the teacher, who was scolding the pupil. Mwl. Oningo came into the office with a stick in his hand, and told the pupil to put her hands on the desk. She pleaded in distress, 'Teacher', and raised her hands in defence, but he told her to put her hands on the desk again. Before 'it' started, I left the room to go to class C. Some teachers laughed and asked me the reason although they knew why. (...) At 12.05, Mwl. Oningo suddenly came into the classroom. All pupils instantly stopped talking (although they were on afternoon break). He picked 5 male pupils, who did not have their shirts tucked in. they stood in front of the room and Mwl. Oningo said, 'It is four times, isn't it?' Other pupils were laughing and some were watching with no particular expression on their face. The pupils remained silent while being punished in front of others. After announcing the importance of compliance with school rules regarding uniform, he left the room. As soon as he left, the pupils in front relaxed, and imitated how he told them off, and some pulled their shirts out again.

28 February (Amani): It is 9.50am. It's another sunny hot day, but inside the classroom is not as hot, if I sit quietly about 40cm away from the other pupils as there is a nice (though dusty) constant breeze coming into the classroom from the window. The sun is quietly shining and the leaves on the trees in the garden are moving as the breeze blow. Suddenly the quietness is broken by the now familiar sound of caning. One, two, three four, five, and then a short break follows. There are several pupils being caned on their bottoms across the garden. The sound goes on, but nobody in the classroom pays attention to the event, and continues to write into their notebooks.

27 February (Umoja): It is just before 8am. I saw Mwl. Edda picking up a wooden stick outside the classroom and heading back into class B. I was also walking towards the classroom. I first saw Faraja kneeling down by the entrance of the room. Mwl. Edda told the pupils to line up and bend over. She then started caning buttocks of each and every pupil in the room for three times each. Boys and girls. They waited for their turn quietly. Some of them looked at me and made a small smile, some were looking at each other without much expression on their faces, and others were looking at a space. Those who had finished were kneeling down on the other side of the classroom in front of the blackboard until she finished with all pupils. She then left the classroom and sat on the *dawati* placed outside of the classroom and continued with her marking [of the morning speed test] task. Pupils remained very quiet for about half an hour. They then slowly started to relax again, but they still remained quiet and studied. Rajabu told me later that they had gotten punished for being loud.

**Appendix 22a: 'What do you think of when you hear the word "discipline"?'**

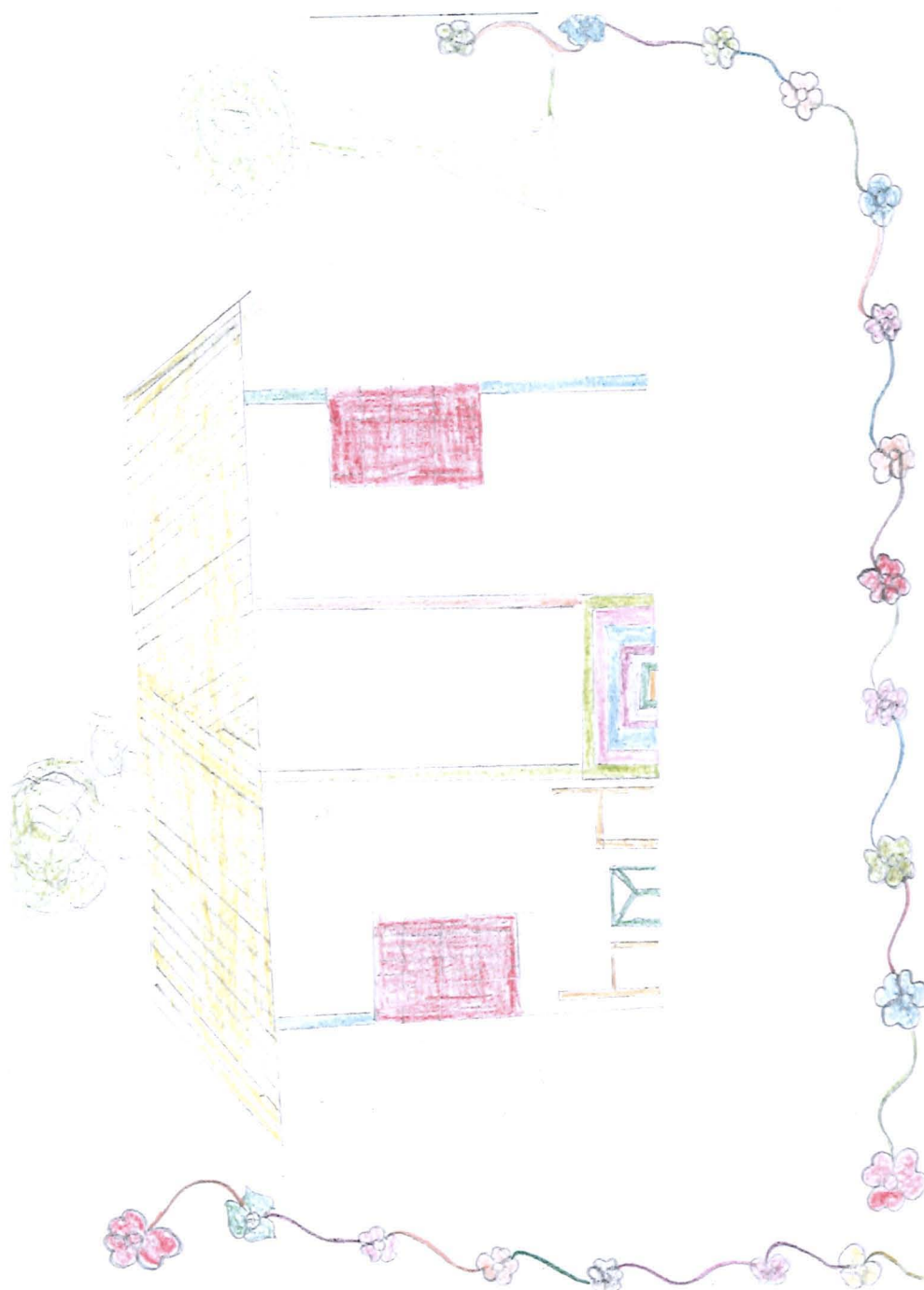


'Those who make mistakes are corrected like this, and myself, I am very often hit, given warnings, or other punishments.'

*(Drawing by Said, age 15, Umoja)*



**Appendix 22b: 'What do you think of when you hear the word "discipline"?'**



*(Drawing by Zainabu, age 12, Amani, 'home')*

Most students (all Umoja students) drew pictures of a child being physically punished, but several Amani students drew pictures of very colourful home, their own school or textbooks.



### Appendix 23: Students' protest in Dar 2008



Children gathering outside district education office to protest against the decision to increase *daladala* fare from TZS 50 to TZS 100. Hundreds of secondary and primary school students were eventually dispersed with tear-gas fired by police arrived in three windowless Lorries.